SPEECH

OF THE

GOV^T OF INDIA
LIBRARY

RIGHT HON. SIR CHARLES WOOD,

PRESIDENT OF THE BOARD OF COMMISSIONERS FOR THE AFFAIRS OF INDIA,

ON MOVING FOR LEAVE TO INTRODUCE

A BILL TO PROVIDE FOR

BENGAL SECRETARIAT
LIBRARY

THE GOVERNMENT OF INDIA.

DELIVERED IN THE HOUSE OF COMMONS

ON FRIDAY, JUNE 3, 1853.

LONDON:

JAMES RIDGWAY, PICCADILLY.

1853.

SPEECH

ON THE

GOVERNMENT OF INDIA.

Mr. Speaker,

I hope, Sir, considering the importance of the subject which it is now my duty to bring before the House, that I shall not be thought unreasonable if I ask for even more than the usual indulgence which on many former occasions it has been my good fortune to receive. I have had at various times to submit to the consideration of the House questions of considerable importance,—at one time, the state of the Navy of this country—at another time, what I believed to be the whole state of Ireland—at another, the whole state of our West India Colonies, and on different occasions the state of the finances of this country; but I never have had, and no man can have had for the last twenty years, to bring forward a question of such paramount importance as that of the whole state of our Indian empire—not in one branch, but in all its branches—and to explain every portion of the measure which I shall conclude by asking leave to introduce for the Government of India, and which is one affecting, either for weal or for woe, the destinies of 150,000,000 of our fellow creatures and our fellow subjects. It is no wonder, then, if I feel oppressed by the magnitude of the subject, and I fear that I

shall find it impossible, however inadequately and imperfectly I may perform the task I have to discharge, not to trespass on the patience of the House for some considerable time. I have to meet also, first, that opposition which, from the threatenings that have exhibited themselves on former nights, I have reason to anticipate, arising out of a desire for delay in respect to legislation on this subject; and, in the second place, I cannot but anticipate opposition upon the substantive merits of the measure. I must deal separately with these two classes of objections, differing in their character, and to be met with different arguments. I trust, Sir, that the course of delay will not receive any general support in the House, but with respect to the second point I have referred to, I must, of course, expect a difference of opinion, knowing that very opposite views, and of a reasonable character, do exist on so important a subject. I have the satisfaction, however, of entertaining the most perfect confidence that no party feeling will be allowed to enter into the discussion of this mighty question. For differences of opinion—for fair arguments in opposition to his own views, every man must be prepared; but the stake is so great, and the interests of our Indian empire are so vast, that I am certain, whatever differences of opinion may exist, that the discussion will not be allowed by any one to degenerate into a contest of party feeling, or to be embittered by party spirit.

Having said thus much by way of preface, I trust,

looking to how many topics I must necessarily touch upon, that the House will permit me at once to address myself to the suggestion which has been made for delay in our legislation for India. The House is doubtless aware that the Act which at present provides for the government of India expires on the 30th of April next. It is, therefore, indispensably necessary to legislate in the course of the present session. No one would risk the passing of an act of this kind, considering the important business which usually occupies the beginning of a session, by postponing legislation on such a subject till next year. There is no alternative, therefore, but to propose a measure providing for the future government of India, or to adopt a course which has been suggested at different times—namely, to pass a temporary continuing Bill, leaving for future discussion in the next session of Parliament, any measure for more permanent legislation on the great question of the government of India. Considering what we all must expect to take place in the course of next session, such a course, I think, would be exceedingly unwise and unsafe. The Right Hon. Member for Buckinghamshire, I recollect, stated, as an objection to the present act, that it was passed in the midst of the excited feeling which accompanied the Reform Bill. We must now bear in mind that the Government stands pledged to introduce a measure on that subject in the course of the next session. Whatever that measure may be, it cannot but be one which will fully occupy the attention and interest of Parlia-

ment and of the country. What the state of our foreign relations then may be no man can tell, I know not that we can possibly look forward to a period of such quiet and tranquillity as we at present enjoy, in which there exist so few circumstances calculated to disturb the calm and deliberate consideration of this vast subject of the government of our Indian territory. It therefore seems to me not only desirable, but imperative on us, to avail ourselves of this most favourable opportunity of dealing with this great and important question; for, doubtless, no subject can well be more important, or so important, as the determination of the mode in which our Indian empire shall be in future governed.

At the same time, the measure which I have to submit for your consideration is, so far as legislation goes, comprised in a very small compass. I may have much to state, and I should not be acting fairly by the House, if I did not explain the views of Her Majesty's Government on many questions not comprised in the Bill which I propose to bring in; but, I repeat, that so far as legislation is called for, the Bill will be small in compass, and, with trifling exceptions, confined to one subject only, namely, the subject of the government of India at home and in India. That was the branch of the inquiry which my Right Hon. Friend opposite laid before the Committee last year as the first subject for their consideration—namely, "the authorities and agencies for administering the government of India at home and in India respectively." This subject was

inquired into at considerable length by the Committees of both Houses last Session; and so far had that part of the inquiry been, I will not say actually, but apparently terminated, that at the commencement of the present Session the Committee of the House of Commons proceeded to the next head of inquiry; and my Right Hon. Predecessor in the office which I now hold stated, on moving the re-appointment of the Committee in November last, that it was his intention to propose to Parliament to legislate on the subject in the course of the present Session. We have heard in the course of the last few weeks four witnesses further on the matter. The evidence of two of them is already in the hands of the Members of this House, and the evidence of the other two was presented yesterday; but I do not think it at all necessary to wait till that evidence shall be delivered. Of course, before the Bill can possibly pass through the House, that evidence will be delivered, and every Member will be in possession of as much information as the Committee possesses, and will be in a condition, therefore, to decide fully on all matters connected with this question. No person, I think, will deny that it is most inexpedient that any unnecessary delay should take place, and that so great a question as how our Indian empire is to be governed, should be left in a state of suspense even for a short period. Suspense in questions of Government cannot but be a source of evil. It becomes us therefore to see whether there is any argument in favour of delay so unanswerable that we are bound to incur

the risk of delay—for that there is risk in delay no man, I believe, denies. The arguments mostly relied upon in favour of postponement, though plausible, seem to me, I confess, to be utterly without foundation. We are told that, before we legislate, even with respect to the governing bodies for India, we must wait until we have concluded all the portions of our inquiry—until we have terminated our investigation into the seven other heads, each of great importance and branching out into various subjects, all requiring, at the rate at which our investigation has hitherto proceeded, no inconsiderable period for their completion. These, however, are not in general matters that require legislation here, but the greater part of them must necessarily be dealt with either by measures of administration or of legislation in India. I have no wish or disposition to close the inquiry. I think that, for the information of this House and the country, and of the Government both here and in India, it is desirable that our investigation should be proceeded with; but there is no reason, on this account, for postponing our legislation with respect to that matter on which our inquiry has been concluded, and on which legislation can now, and without difficulty take place. If, before we legislate on the form of government for India, we are to investigate all the other subjects, and at our present rate of proceeding, I do not see what term there would probably be to the length of the inquiry, or when we should have a prospect of legislating at all. Certainly not for a period beyond that which any reasonable man has

hitherto proposed for delay. The Hon. Member for Knaresborough the other day urged delay on the ground that the inquiry into many branches was not completed, but I am sure he succeeded in convincing the House that he, at least, stood in no need of information on the matter to which he referred. He went, for instance, at some length into the military arrangements of India, adverted to the small number of officers with their regiments, and called for some amendments in the practice in that respect. It may be, and I believe is the case, that the number of officers with their regiments is constantly too small. That is a subject which, no doubt, requires looking into, and may call for the attention of the Commander-in-Chief or the Adjutant-General; but it does not require legislation in this House. It may be necessary to send more officers to the regiments in India, or to withdraw fewer officers from them, when there, but that is a matter, I repeat, not requiring legislation in this House, but orders from the authorities regulating the military arrangements in India. The Committee has, this Session, inquired into the military branch of the subject, and then proceeded to the next head, that of the judicial establishments, and the administration of justice. On this head most of the members of the Committee thought we had taken sufficient evidence, and were satisfied to close the inquiry; but my Hon. Friend behind me (Mr. Hume) told us that even then we were only on the threshold of that part of the subject. The House may judge therefore, what prospect of legislation

there would be, if it is to be postponed till the inquiries of the Committee are closed, and if these inquiries are to be conducted in the manner, and at the rate recommended by those who are the principal advocates of delay.

Again, it does not appear to me that any great advantage would be gained by waiting for evidence from India. I believe that with respect to the subjects which have now been inquired into—and which are the only matters introduced into the proposed Bill, such for instance, as the relations between the Board of Control and the Court of Directors, the constitution of the Court of Directors, or the abolition of that Court, we are better able to decide than any witnesses that could be brought from India. On many topics, such as the want of public roads and of irrigation, the tenure of land and the taxation in India, we might perhaps obtain further information from that country; but all these points have been brought before the Committee by witnesses already heard, or by representations laid before the Committee; and I do not see that any new light or additional information is likely to be obtained, beyond what we have already got in substance, by waiting for fresh evidence from India. At any rate, the information, if any were so obtained, would have little or no bearing on the question which I have now to submit to the House; for, I repeat, those subjects are subjects for legislation, or administration in India, and are not subjects which can possibly be settled by legislation in this House. The Hon. Member for Poole has

asked if Her Majesty's Ministers were prepared to deal with the question of the form of government for India, not being in possession of all the evidence which may be given to the Committee, but, if I am not mistaken, the Indian Reform Association, of which my Honourable Friend is Chairman, has made up its own mind on this subject of the government of India, and has announced its intention to oppose any plan which is not founded on the basis of what is called "single government," and which does not utterly put an end to the Court of Directors. They, then, require no further information, no further time, to enable them to come to a decision on this question. I do not object to that Association having made up its mind on this point; but, surely, the House, and Her Majesty's Government may also be allowed to have made up their minds; and I trust that, at least, the members of the India Reform Association will not urge any arguments in favour of delay. It seems to me, I must be permitted to say, that whatever plan for the government of India may be decided on,—whether "the single government" should be adopted, or "the double government" should be continued or amended,—it is our bounden duty to give to India, at the earliest possible moment, the best government which the wisdom of Parliament can devise. Those who attribute more blame than I do to the past government of India, and who are of opinion that much that has been ill done, or altogether left undone, is to be attributed to the existing form of government, ought to be most

anxious, at the earliest possible moment, to amend that form of government. Her Majesty's Ministers are prepared to lay before the House the plan of government, which, in their judgment, is best calculated to promote the welfare and benefit of India, and also of this country, as inseparably connected with the welfare and prosperity of India. Amend it, if you will; alter it, if you please; suggest improvements, if you can; but let us not refuse to India, as soon as we can give it to her, the best government we can devise for her permanent welfare. In the opinion that we are not likely to obtain much additional information from India calculated to be of service in the present stage of our proceeding I am confirmed by the statement of a most intelligent witness, who appeared before the Committee a few days ago; a gentleman who has resided the whole of his life in India, and is better acquainted than almost any one else with the feelings and habits of the people of India,—I mean Mr. Marshman. He stated to the Committee his opinion as follows:—
"For the arrangement of the general government
"of India, both abroad and at home, I think the
"Committee has received as much information as
"can be deemed necessary, and that nothing is to
"be gained by waiting for further light upon that
"subject. I do not think it is at all likely that by
"postponing legislation we should obtain further
"valuable information from India. I think that
"there can be no necessity whatever for waiting in
"the hope of obtaining further information from
"India." Well, then, if there be no validity in the

argument for delay in legislating on this subject, is there no danger in postponing legislation? I can only say that I have heard no persons connected with India express any other opinion on this point, but that, whatever we do, we ought to legislate as soon as we can. The gentleman to whom I have just referred states his opinion very clearly, "that on many grounds it appears advisable to complete the arrangement in the course of the present year." I have communicated with the Directors, the great majority of whom are connected with India, and the opinion they express is this:—Settle it as you will; abolish or deal with our Court as you please, but legislate in the course of the present session; leave no uncertainty in India. But, what ought to be of far greater importance is the opinion entertained by the Governor-General of India, Lord Dalhousie, than whom no one has ruled India more successfully, or is better acquainted with that country. After a residence of five years in India, and when his rule is nearly expired, he is both a competent and a disinterested witness, and he says, that we ought by all means to conclude our legislation at once, and not to delay: that delay is a source of weakness, and weakness is a source of danger; and, that if the people of India begin to suspect that the rule in India is uncertain and tottering, and that Parliament has not made up its mind how India is to be governed, they may begin to suspect that the existing authorities may be set at nought. That is a risk which I think Parliament would be most unwise to run. In the evidence given by Lord

Ellenborough before the Commons Committee a somewhat parallel case is mentioned, exhibiting a striking instance of the danger, in dealing with native princes, likely to result from a supposed weakness in the governing power. Lord Ellenborough states, that when he was engaged in negociations with the Government of Gwalior, a rumour respecting the probability of his recall had been circulated in India, and led to increased difficulty in the negociations in which he was engaged, and to resistance to his demands. Under these circumstances, and with these views so strongly expressed by men to whose opinions the greatest weight ought to be attached, I think we should have been utterly unjustifiable if we had not, at the earliest possible period consistently with the progress of the other important measures which were already before the House, brought forward such a measure as we thought the best calculated to provide for the good government of India, and promote the welfare of our Indian subjects. There are certainly many reasons of convenience, looking to the time of the year and period of the session, for delay; but such considerations as these could not for a moment be put into competition with the reasons which I have stated for proceeding at once with legislation on this subject, and I sincerely trust that, at any rate, the great majority of the House will agree with us in this opinion.

But, Sir, although I do not think that a minute and protracted inquiry into all the details of the administration, and the state of every part of our

Indian Empire is an indispensable preliminary to legislation on the subject of the government of India, I should not be doing my duty to the Indian Government, or dealing fairly towards the House, if I did not attempt to place before the House, as concisely as I can, what has been the result of the administration of India for the last 20 years. The Committee was appointed to inquire into the effect of the Act of 1833; and I fully admit, that if any great abuses were found to exist,—if any great crimes or delinquencies could be shown, such a circumstance might affect most materially the question we have to decide. It is due, then, to the House that I should show, in general terms, how matters have been conducted in India, what progress has been made there during the last twenty years, and how far the governing powers have discharged the duty imposed on them by Parliament. But, in making this review, we must take care that it shall be a fair and impartial review. We must not judge of Indian progress by the English standard of the present day. That would be exceedingly unjust and unfair, as it would be unfair to judge of English progress some time ago by the standard which we adopt at the present moment for measuring our progress. In India we must make allowance for a difference of race and a difference of circumstances. We must look at India with somewhat of an Indian eye, and take into consideration all those circumstances which ought materially to affect our judgment in respect to Indian questions. In this country we know that

there is every possible stimulus to active exertion both public and private—public ambition, private rivalry, large capital, general education, and every motive which serves to make an energetic race urge on, in every way, and on all subjects, progressive improvement at a most rapid rate. No prejudices, no antiquated habits or customs are suffered to interfere. In India, on the contrary, you have a race of people slow to change, bound up by religious prejudices and antiquated customs. There are there, in fact, many, I had almost said all, the obstacles to rapid progress; whereas in this country there exist every stimulus and every motive to accelerated advancement. On nearly all subjects, too, I find there is the greatest difference between the various parts of India. That which is true of one part of the country is almost sure to be untrue of another. For instance, with regard to the tenure of land, there are three or four different kinds of tenure, and those best acquainted with each invariably think that the one which they know best ought to be maintained and extended to every other part of India. We have had most contradictory evidence upon another topic—the advantage or disadvantage of enlisting in the ranks of the Indian army the high caste or low caste Hindoos. We were told by one officer that nothing is so disadvantageous as the enlistment of high caste Hindoos, while another officer expressed his decided opinion that high caste Hindoos were invariably the best soldiers. We soon found, however, that one of these officers was in the

Bengal army and the other was in the Bombay army. The circumstances of the two services are quite different; and statements which seemed altogether contradictory were perfectly true, in consequence of the different positions of the two armies. This extreme diversity of circumstances and diversity of opinion renders any general conclusion almost totally impossible as to remedies for admitted evils. Besides this it appears to me that no inconsiderable misapprehension exists as to the progress which India has made during the last twenty years. Petitions have been laid before Parliament—documents professing to be the productions of native associations—and one of them to which my attention was called some time ago, and which has excited considerable notice, is a petition professing to emanate from the Native Association of Madras. I should certainly have thought any statements proceeding from intelligent and well informed natives of India, entitled to the most careful consideration, but I must say that I do not believe that this petition was either prepared or knowingly sanctioned by intelligent natives of Madras, who were acquainted with the actual state of things in that Presidency. The statements which it contains appeared to me to be of a very extraordinary nature, and the result of inquiries showed that there has seldom been such a tissue of exaggeration and misrepresentation. Those statements are utterly contradicted, not only by facts, but by documents to which the petition itself refers. For example, an enactment of the British Parliament in

1787 is dealt with as an act of recent Indian legis-tion. A report of 1837 is quoted as containing the last accounts with respect to irrigation in Madras. The petition also states that its promoters were unable to obtain official information upon certain subjects, which information is actually contained in published documents to which the petition itself refers. These misstatements were so important that I wrote to the Governor of Madras requesting him to make some inquiries on the subject, and he informed me that the first intimation he had of the petition was from seeing complaints in the local newspapers that they had been unable to obtain a sight of the document. He also tells me that at Madras, where knowledge on the subjects referred to in the petition does exist, many of the statements contained in it are known to be so utterly untrue that they excite very little attention, and are treated with the utmost contempt, although here, in our ignorance of Indian matters, they are palmed upon us as of the greatest importance. Now, I am far from saying—and I beg not to be misunderstood on this point—that much has not been left undone that ought to have been done. I am far from saying that there have not been many sins, of omission rather than of commission, in the administration of affairs in India, but I think I shall be able to show the House that much has already been done, and that those to whom the administration of affairs on the spot has been entrusted—the local officers in different parts of the country—the Government in India, supported by the Government

at home—have not been neglectful of those great material and domestic interests—domestic I mean, so far as India is concerned—which have been committed to their charge. The fact that more has not been done is, I think, in no slight degree attributable to the unfortunate, the continual, and the expensive wars in which India has of late years been engaged. It is not for me now to express any opinion upon the policy and conduct of those wars, but this, no doubt, has been their inevitable result—that means have been wanting to carry further than has been done the material improvement of India. The points upon which the greatest stress has been laid, and which are the heads of the complaints contained in the petitions presented to the Committee, relate to the administration of justice, the want of public works, and the tenure of land. I will proceed to deal with these matters in the order in which I have mentioned them.

First, with regard to the administration of justice, the complaints relate principally to the inconvenience arising from the technicalities of English law, to the alleged incompetency of English judges, and to the corruption of the native judges and officers. So early as 1833 the difficulties of the state of the law in India were strongly felt, and provisions were introduced into the Act passed in that year which it was thought were likely to lead to an amendment of the law. Provision was made for the appointment of a Law Commission in India which was intended to prepare a code amending

and consolidating the various laws and regulations in force in that country, and to establish, so far as circumstances would allow, one uniform common law for the different races of people who inhabit our territories. I am sorry to say that the result of the proceedings of that Commission has not answered the expectations which had been entertained. Principally under the care of my Right Hon. Friend the Member for Edinburgh (Mr. Macaulay) a penal code was prepared, which was the first complete result of the labours of the Commission. It was submitted to the consideration of the various local authorities in India. This occupied a very considerable time, and the suggestions made by them had to be revised and reconsidered by the members of the Law Commission. The revised code was sent to this country. It was returned to India, with authority to enact it with such modifications as the Government of India thought expedient, but in the meantime my Right Hon. Friend had come home. Some years had elapsed since the code was framed. Another Legislative councillor (Mr. Bethune) had been appointed, he disapproved of much of the draft of the code, revised it with different views, and substituted a code differing in very essential particulars from that of my Right Hon. Friend. The Governor-General naturally thought that though he had authority to pass the one it was beyond his competency to pass a totally altered code. He referred it to the Government at home, by which step some further delay was necessarily incurred, and finally

authority was sent out to the Governor-General to pass the code in whatever shape he thought best. In the meantime Mr. Bethune, who prepared the second code, had died in India, and the code had therefore to be submitted to the revision of a third English lawyer who succeeded Mr. Bethune as Legislative Councillor at Calcutta. He (Mr. Peacock) is a man of high character, and who is no doubt perfectly competent to perform the task, but he was naturally, on his first arrival, ignorant of many of the habits and customs of the Hindoos and of other inhabitants of India, with which it was most desirable that a person performing such a duty should be acquainted. He is at present engaged in revising the two codes, and the Government of India has the requisite authority for enacting whatever it considers to be right, but owing to these unfortunate, though perhaps unavoidable delays, no actual result in the shape of legislation has yet been attained. I believe, however, it will be found that the labours of the Commissioners have not been altogether useless, for in many of the Acts which have been subsequently passed by the Legislative Council the spirit, if not the letter, of their recommendations has been complied with. So far, therefore, their labours have not been without benefit to India, and I shall state to the House, before I sit down, the measures we intend to propose with the view of bringing to a practical conclusion the investigations which have been carried on for some time into the matters of legal reform, and of giving to

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India at an early period the benefits of the consideration which the subject has received.

With regard to the complaint of the technicalities of English law, I am afraid there is some truth in the allegation. We carried with us to India that attachment to our own laws, and to our own modes of proceeding, which distinguishes,—or rather did distinguish—the courts of Justice, and the lawyers of this country. These laws and proceedings were, however, perfect as Englishmen thought them, totally foreign to the habits and manners of the people of India, and it is remarkable that even now it is proposed by some of the Indian reformers, to establish a class of officers for conducting magisterial business, totally distinct from those who manage the revenue and other business; thus departing still more widely from the native habits and customs, which almost universally place all authority of this kind in the same hands. I am afraid that if we look into our own proceedings at home we shall see that we have not much right to find fault with the mode in which these matters have been conducted in India. I have now been for more than twenty-five years a member of this House, and one of the first motions I heard submitted to Parliament was a proposal to reform the Courts of Chancery—a reform which it has taken a quarter of a century to effect. When I cast my eye the other day over the report of the Law Commissioners, which has been recently presented to Parliament, I found in it a reference to two topics, the consideration of

which had been recommended by a Law Commission which sat some twenty years ago, with regard to one of which no remedy has been yet provided, while the other was not dealt with until about two years ago. The one is the necessity of an unanimous verdict on the part of juries; and the other related to the admissibility of some descriptions of evidence, the exclusion of which has frequently tended in no inconsiderable degree to defeat the ends of justice. Probably many Hon. Gentlemen may have seen a pamphlet written by a Mr. Norton on the administration of Justice in India. No doubt Mr. Norton has succeeded in stringing together a number of decisions and results of trials which appear, as they stand, very absurd. (Hear, hear.) The gentlemen who cheer as if this was a wonderful proof of the defects of the administration of Justice in India, may perhaps be astonished when I tell them I have heard that one of the most eminent Judges in this country has declared his opinion, that if you were to take the criminal proceedings in this country from the first proceedings to the verdict of the jury, and the sentence ultimately inflicted under the authority of the Secretary of State, it would not be difficult to string together a tissue of absurdities equal to those contained in Mr. Norton's work. Why, it is not long since sentence of death was recorded in very numerous cases, although every body knew that the sentence would not be carried into effect. How frequently have we found efforts made by individuals and associations to prove the innocence, and sometimes successfully, of crimi-

nals who had been convicted by the legal tribunals of the country? How often has it been necessary for the Secretary of State to pardon persons who had been convicted of offences when they ought to have been acquitted? I think, then, such cases as are mentioned in the work to which I refer afford no very conclusive proof of the defective administration of justice in India.

I would, however, ask Hon. Gentlemen to consider the different circumstances in which Courts of Justice are placed in England and in India. Here for the most part truth is told in our Courts of Justice. The Judges are generally justified in believing the evidence given in Court. There may be exceptions; no doubt there are; but no man will deny that, as a general and almost universal rule, the evidence given upon oath in our Courts is true, and not false. Is that the case in India? If you believe the evidence given before the Committee, directly the reverse is the case. The chances are that the evidence given in the Indian Courts is false, and not true. Is no allowance to be made, then, for judges administering the law, and attempting to dispense justice, under such circumstances? It seems to me that every allowance ought to be made, and that, instead of trying to depreciate the administration of justice, or to run down those who administer the law under such adverse circumstances, we ought to extend to them every possible indulgence; for considering the circumstances in which they are placed, I think it is rather a matter of surprise that justice should be

administered with any satisfaction than that such charges as I have alluded to should be made. Perhaps the House may not be aware to what an extent falsehood, perjury, and subornation of perjury are said to be carried in India. I do not believe that the description can apply to the great body of the people of India, but as regards many of those who appear in the Courts of Justice, we have evidence of the strongest nature showing the prevalence of these crimes to an extent which, I confess, would be utterly incredible if the statements did not rest upon authority so general and so irreproachable. Dr. Duff, a Christian missionary, made this statement before the Committee :—

"It is the simple fact that scarcely a single case "that goes to a Court in India goes there without "bribery and without perjury on all sides. I mean "literally what those words denote."

A gentleman of high authority, Mr. Baillie, a pleader for many years in the Courts in Bengal, both at Calcutta and up the country, was examined before the Commons' committee, and this, after long experince, is his opinion :—

"Oral evidence in a case is, generally speaking, "plainly and palpably false. To express in the "strongest way my own views, I may state that I "was a pleader in the Sudder Dewanny Adawlut "for twelve years. For a good many of those years I "had a very large business, but I scarcely recollect "an instance where I thought it worth while to "comment upon the evidence at all."

Now, what says Mr. Norton, who complains so

much of the administration of justice, as to the mode in which evidence is prepared, and the reliance to be placed upon it? He tells us:—

"Informing a native of a point which it is ne-
"cessary for him to prove in order to substantiate
"his case is almost tantamount to bidding him go
"into the bazaar, where witnesses to any fact may
"be procured at an anna ($1\frac{1}{2}d$) a-head, and setting
"in motion all the secret springs of a complicated
"machinery of forgery and subornation of per-
"jury."

It is then, I think, only right that a fair and full allowance should be made for the circumstances in which the judges are placed. Nor is this a new or temporary state of things, produced, as some people would have us believe, by the prevalence of English rule. I referred the other day to a charge delivered by Sir J. Mackintosh to the grand jury of Bombay many years ago, in the course of which he said,—

"Such is the unfortunate prevalence of the
"crime of perjury that the hope of impunity is not
"extinguished by the apprehension of the delin-
"quent. I observe that Sir W. Jones, who carried
"with him to this country (India) a prejudice in
"favour of the natives, after long judicial experi-
"ence reluctantly confesses their general depravity.
"The prevalence of perjury, which he strongly
"states, and which I have myself already observed, is
"perhaps a more certain sign of the general disso-
"lution of moral principle than other more daring
"crimes. It is that crime which tends to secure
"the impunity of all other crimes, and it is the

"only crime which weakens the foundation of "every right, by rendering the administration of "justice, on which they all depend, difficult, and in "many cases impossible."

The evidence of the difficulty to be encountered by an Englishman in the administration of justice increases upon us as we look further into the subject. The Madras petition mentions, as an instance of the mal-administration of justice, the case of a man who was convicted before a Zillah judge, but who proved to be innocent. There certainly is no doubt of those facts having occurred, but the man had been convicted in the first instance, not upon any evidence, but upon his own confession. You will find, if you refer to the evidence given by Dr. Duff, that he states it is by no means uncommon for persons in India to confess themselves guilty of crimes of which they may be proved to be innocent; but is a judge to be blamed if he convicts a man upon his own confession? I think there is no reason to doubt that justice is fairly and impartially administered by English judges in India, and that, in reviewing their conduct, we ought to make allowance for the circumstances I have mentioned. It was stated that judges were placed upon the bench in India at a very early period of life,—that young and raw Englishmen who had just arrived in India were made Judges of appeals from the decisions of the native Courts. Sir G. Clerk, a gentleman well versed in the affairs of India, and who served for a long time in various parts of that country, distinctly stated that, so far as he knew, such could

not be the case. It is, however, true that sometimes gentlemen of no long standing in the service, acting as Assistant Judges, do try such appeal cases as are assigned to them by the Judge, that officer taking the important cases and assigning the smaller ones to the assistant. The Judges themselves are generally servants of twenty years standing or upwards. On referring to the Bengal judicial appointments, I find that the youngest judge on that bench has been twenty-two years in the service of the East India Company. Perhaps the most satisfactory evidence that can be laid before the House on this subject is that of persons who depose to the implicit confidence reposed by the natives in the English judges. It is shewn by the decisive testimony of different persons that this is the almost unanimous feeling among the natives. No one who has appeared as a witness before the Committee appeared to be better acquainted with India, and with the Indian service, than Mr. Halliday, and he says :—

"As far as regards the integrity of the judges, "the confidence of the natives is complete; they "have little or no notion of the possibility of cor- "rupting an English judge. I know from constant "intercourse with the natives, from the very com- "mencement of my service in India down to a very "recent period, that they look upon the incor- "ruptibility of an Englishman, his truthfulness, "and integrity generally, as something quite by "itself."

Mr. Marshman informs us that "The general "impression throughout the native community,

" with two or three exceptions, is that the English " judges are absolutely incorruptible."

Mr. Baillie, the pleader to whom I before referred, says :—

" The native has a general feeling against the " honesty of all judges. I think that general feel- " ing has given way entirely, and I think, as a " general rule, the native believes that an English " judge is usually honest."

Mr. Javanjee Pestonjee, a Parsee merchant from Bombay, says,—" There is no question about the " integrity and the morality of the Civil Service. " There are many Civil servants who are quite " competent and thoroughly understand the duties " of their office; those even who do not possess a " knowledge of the Law, are willing to discharge " the duties of their office with impartiality."

It must be remembered that in this country we have one language and one law, while in India there are many languages and many laws. To each man in India, to the best of the judge's ability, is administered the law of his nation. The Mahomedan law is administered for the Mahomedan, the Hindoo law for the Hindoo, and for the natives of all parts of the world the law of their respective countries, so far as it can be ascertained, is administered: and the House will see at once how infinitely great must be the difficulties of administering such a varied and complex system. As regards the competency of the Indian judges, that is a very difficult question for us, sitting in this House, to decide. Nevertheless, it happens that

we are able to test, to some extent, the competency of these judges fitly to discharge the duties of their office, by observing how their decisions are dealt with when they reach this country. A return has been presented to the House of the decisions of the Privy Council in appeals from India. The appeals come from two Courts,—namely, the Supreme Court, presided over by Queen's judges, who are barristers of some standing and reputation from this country, and the Sudder Courts, presided over by the Company's judges—Civil servants who have spent their life in India, and have ultimately been raised to this high judicial office. The appeals comprised in the return to which I refer have been decided since 1833. There have been ninety appeals from the Sudder Courts, of which sixty-three have been affirmed, and twenty-eight reversed, being in the proportion of two-thirds to one third. The appeals from the Supreme Court have been thirty-six in number, of which ten have been affirmed, and twenty-six reversed, being in the proportion of one-third to more than two-thirds. The House will observe that in the two cases the proportions are reversed—of the decisions of the Company's judges two-thirds have been affirmed, while of those of the Queen's judges only one-third has been affirmed. Looking at these results, and that the judges of the Sudder Courts are chosen from gentlemen who have sat as judges in the various country districts, I am not disposed to come to the conclusion that the Company's judges are utterly incompetent efficiently to discharge their duties. As regards the Native judges

there is, I fear, some truth in the assertion that they are, to a certain extent, tainted with impure and corrupt practices, the remains of the ancient system of administering justice. It, however, is most satisfactory to find, from the evidence of Mr. Halliday, that of late years a great improvement has taken place in the practice of the Native Courts, and that the judges are gradually being raised above the temptations to which they formerly yielded. Mr. Halliday says:—

"The (native) Courts themselves, within my ob-
"servation and knowledge, have manifestly im-
"proved in regard to integrity and trustworthi-
"ness."

This circumstance is of more importance than might, at first, be supposed, because, in consequence of the increased employment of natives in the judicial service, a large proportion of civil suits are decided, not by English but by Native judges. It appears by the evidence of Mr. Hill, who is at the head of the Company's legal department at the India House, that only six or seven per cent of all civil suits are decided by English judges, the remainder being disposed of by native judges; and, taking original cases only, not more than one per cent is decided by English judges. I say therefore that this statement is satisfactory in two respects; first, as showing the great extent to which natives are employed in that branch of public business for which their service seems most available—namely, the administration of justice; and, secondly, as affording evidence that the native

courts are gradually improving, and approaching to the purity as well as the ability of the English tribunals. Beyond the very general employment of natives in the administration of justice they are now constantly employed in higher situations than formerly. They have been frequently appointed deputy magistrates, and Lord Dalhousie took the unprecedented step of appointing a native to a situation of considerable importance in Calcutta. Mr. Halliday states in his evidence:—

"Lord Dalhousie appointed a Hindoo of high "caste, high family and character, stipendiary "magistrate of Calcutta, much to the annoyance "of the English applicants for the situation; but "the natives especially exhibited their jealousy and "dissatisfaction in so many ways, that the person "appointed complained to his friends of 'the "bitterness of his position, and the pain and misery "which had been brought upon him by the con-"stant attacks, public and private, and the annoying "petty jealousy which he had experienced from his "countrymen in consequence of his elevation.'"

It is disappointing to find such results from the appointment of a Hindoo to a higher situation than had ever before been filled, except by an European, but this is no reason for not appointing a native to such an office. I am most anxious that natives should be employed as extensively as possible in situations for which they are fitted; and that they should also be gradually appointed to higher situations than they have generally occupied hitherto, but it is obvious that there may often be difficulties

which do not occur to one at first sight, It cannot be agreeable to a native to be placed in an employment in which he becomes an object, not of envy, but jealousy, to those around him, who, had they our feelings under such circumstances, would be proud of their countryman's elevation.

I pass now to the question of public works. This is, certainly, a subject of the greatest importance, as regards not only the welfare of India, but the interest of this country. It has been earnestly pressed, not only on my attention, but on that of those who have preceded me at the Board of Control, by gentlemen interested in one of the largest branches of English manufacture, — viz., that of cotton. When these gentlemen did me the honour of waiting on me, they took what seemed to me the unnecessary trouble of apologizing lest they should be supposed to have been actuated solely by selfish motives in pressing the matter on the attention of the Government. It certainly never occurred to me that they were actuated by such a motive. It is, undoubtedly, an object of the greatest importance to this country to increase the supply of cotton in every possible way. It is a great evil—and one to be avoided, if possible—to be dependent on one country alone for the supply of a staple article of manufacture employing many thousands, I may say millions, of our population. So far from complaining of the gentlemen to whom I have alluded for having stirred this question, I think we ought to be grateful to them for having called the attention of the Government of India and of this country

to a subject of such vital importance. I have already explained that, in consequence of the large expenditure caused by the political situation of India for some years past, the Indian Government has been unable to devote as large a portion of the revenue to works of public improvement as—even for the interests of the revenue itself—might be advantageously applied to such purposes. On the whole, however, this subject has attracted, and is attracting, more and more consideration, year by year, and day by day. I hold in my hand some statistical details, which will be laid before the House very shortly, and which afford satisfactory evidence of the increased attention which is devoted to the question of public works. This document shows a great increase in the funds appropriated to public works during the last fifteen years. The average of the first five years of the period was £250,000; of the second five years, £240,000; and of the last five years, £400,000. This account, though it affords a fair criterion of the increase of late years, does not, in truth, give a fair representation of the actual expenditure in these years. The total expenditure, including the cost of establishments, convict labour, and other items, not embraced in this account, amounts, for the last year, to upwards of £700,000. Taking the account as it stands, however, as a measure of the comparative expenditure of former and recent periods, there has been an increase of about forty per cent in the expenditure on public works in the latter years.

Another great subject of complaint has been the

deficiency of roads; and here I must confess at once, that in many parts of India the means of communication are deficient. On the other hand, more has been done in this way than members are, perhaps, aware of.

Allow me to refer to accounts of what has been done in this respect in the various Presidencies.

The great trunk road to the Upper Provinces and the furthest extent of our territory is already open from Calcutta to Kurnaul, 78 miles beyond Delhi, in all 965 miles, and in two years it will be completed to Peshawur—1,423 miles. It is a macadamized road, "smooth as a bowling-green," upon which carriages go at the rate of ten miles an hour; serais and provision depôts have been established at convenient distances, and there are guard-houses and police stations every two miles; the road is watched and patrolled night and day, and it is calculated that an officer of some sort is employed for every half mile. Mr. Raikes states that in his district, notwithstanding "parties of wearied merchants are spending the night all along the road under the canopy of heaven," the losses by robbery were *nil*, and those by theft no more than 4*d.* per £100.

In the Presidency of Madras, the great western road to the borders of Salem and Bangalore from Madras has been put into proper repair; the traffic upon this road is larger than that upon any other road in India, and the cost of carriage has been reduced one-third since 1846.

Three different trunk roads have been made or

repaired, opening Mysore and Coimbatore to the west coast. Cotton from Coimbatore now goes to Ponany, a port on that coast, instead of being carried to Madras, and the carriage of it has already been reduced from six to two rupees per bale of 300 lb., making in many cases the whole difference between profit and loss in the export. In Canara, where in 1831 wheeled carriages were unknown beyond the town of Mangalore, 508 miles of good road are completed, and six excellent ghauts are now open. The exports of cotton, coffee, &c., have largely increased, and the imports of British piece-goods doubled since 1838. A good road south towards Trichinopoly has been formed.

On the other hand—wishing to conceal nothing, I must frankly admit that the great north road is in a very bad state; but 240 miles of canal along the line will be opened in connexion with the Godavery and Kistna works, and Colonel Cotton says, therefore, it is quite out of the question at this moment to waste any money on this part of the road. District roads are generally wanting in this presidency, but their state varies very much in different parts of it. In Salem, Madura, Tanjore, and Canara they are good. In Bellary and Cuddapah, together half the size of England, and growing cotton and indigo, they are altogether wanting, there being only thirty miles for the whole. A direct line to Cuddapah has been sanctioned, and a pass on it opened, so the want as regards a great line of communication will soon be supplied. I do not for a moment mean to say that

many public works are not required; but still I declare with truth that much has been done—much is in progress—and that as soon as funds are forthcoming, the Government will apply them to the purpose of opening and improving the communications from the interior to the coast. These are the roads which are much more important for the benefit of commerce and improvement of the country than the north line which runs parallel to the coast for nearly all its length. I have here an extract from "The Scindian" newspaper, which shows that even in this, our last acquisition, great attention is paid to the construction of roads and canals. In the interior of the country, the roads for conveying the produce are by no means so bad as some persons would have us to believe. In reference, for instance, to the great cotton-growing districts in the Bombay Presidency, Mr. Davies, the Collector of Broach, reports in 1849, that "there are no macadamized "roads, and no materials wherewith to construct "them, yet nowhere throughout the Presidency is "communication so well kept up, not only on "the great lines of traffic, but between village and "village, and nowhere is the number of carts greater "in proportion to the population." And Mr. Bell says that in Candeish "there is a passable and often "an excellent cart road in many districts from every "village to its neighbour. The main Bombay and "Agra road is in excellent order; the traffic and "travelling on the cart road is constant during "the fine season; the province abounds with fine

" cattle, and carts for burthen and for locomotion " are in general use."

Such is the account of the ordinary roads in the great cotton-growing districts of the presidency of Bombay. Great part, however, of the Indian cotton is grown in the interior of the country in native states, and for the purpose of bringing this cotton to the coast at such a cost as would render it profitable to do so, common roads are inadequate. I believe that for the transport of cotton from Berar to the coast a railroad is necessary. It becomes doubtful, therefore, whether it is worth while to expend large sums on trunk roads. Indeed, it is probable that the great trunk road, to which I have before referred, leading from Calcutta to the upper provinces will, in a great measure, be superseded when the railroad is completed. In reference, however, to this important question, I cannot here avoid expressing my opinion that the Indian railroads, although there was perhaps some delay in the first instance, were commenced without sufficient consideration. The consequence has been that in the case of both the great railroads it has been found necessary to change the line originally laid out. In the first instance it was intended that the line from Calcutta should run along the old road through a comparatively wild and uninhabited country; but after it had been carried to a certain point it was wisely determined that it should run along the line of the river, and through the most populous parts of the country. The direction of the line from Bombay was also changed after the

works had been commenced. It was planned and commenced on the supposition of its being carried over the Malseg Ghât which on survey has been found to be impracticable, and it is now proposed instead of attempting this passage to carry it over two other Ghâts, and to pass the ridge in two places instead of one. This change of purpose has fortunately been determined on before any part of the line, of which the first portion has been opened, had been carried beyond the point where the deviation would commence, but I refer to these circumstances for the purpose of showing how important it is not to begin a line until all circumstances connected with it have been fully and maturely considered. There is no person more competent to form a correct opinion on this matter than the present Governor-General of India. He made himself master of every thing connected with railroads when he was President of the Board of Trade in this country, and I believe that, as regards several railway undertakings here, great advantage would have resulted from following the suggestions made in the able report to which that Noble Lord's name is attached, and which was for our assistance laid on the table of the House. My Right Hon. Friend who preceded me in office did well, I think, in referring the whole of these questions connected with Indian railways to the consideration of the Governor-General, for of all men in Europe or Asia he was the most competent to form a correct judgment on the subject. I expect a final report from the Noble

Lord by the next mail. Looking to the vast importance of the question, I have thought it right to defer any decision on the subject until I receive Lord Dalhousie's report. On receiving it I can declare, on the part of the Court of Directors and myself, that no time shall be lost in carrying the railroads through with as much rapidity as the means at our disposal will allow of. It is indispensable that the great lines—I will not speak of them as they have been hitherto called, "experimental lines—should be completed as soon as possible to their proper termini, and no expense shall be spared to effect that object.

Another part of the public works which is of the greatest importance is the irrigation of those parts of India which require artificial aid to render them productive. This is one of those points on which the statements contained in the Madras petition are most signally false. The petition states that nothing has been done in the Presidency of Madras to promote irrigation, and it quotes "the latest published Report of Captain "A. Cotton upon the Tanjore district," as the petition calls it, to the effect, that millions of gallons of water are daily running into the sea, uselessly and wastefully down the Coleroon, which if properly employed might bring fertility and plenty to the district, and the authors of that petition would have the people of this country believe that such is the case at the present time. Now will the House believe that the report was made in 1837, about 15 or 16 years ago; that works for

damming the Coleroon had even then been commenced, and were completed in 1841, twelve years ago, and by which upwards of 1,000,000 acres have been irrigated. The success of that work was so complete that another similar work was immediately commenced on the Godavery, which I believe will be finished in the course of the present year. In the last report on the public works which has been received in England, and which has, I think, been laid upon the table of the House, I find the following passage with reference to the works on the Godavery :—"A river exceeding two miles in actual width besides the islands "which at that point divide it into four branches, "and running over a bed of pure sand of unknown "depth, was to be arrested in its course by a dam, "12 feet high, thrown across it, and a large part of "its waters was to be distributed over an extent of "3000 square miles by means of a network of "channels; and all this was to be done in a country "where such works had never been heard of before "on a scale of magnitude, or at least only by tra-"dition, and to be effected by the agency of work-"men who had to be taught almost everything." These works in India are constantly spoken of as if they were on the same scale as those constructed in this country, and constructed with the aid of able engineers and skilful workmen; and complaints are made that they are not executed as rapidly and as well as in England. But let gentlemen fairly consider such an account as I have just read of the character of these works, and of the difficulties

attending their execution. It is most unjust and ungenerous to condemn persons acting under such circumstances for not completing the works intrusted to them as rapidly and substantially as they can be done here. The Coleroon anicut has been finished some time, the works on the Godavery will be finished this year; the Kistna, another river in the Madras Presidency, has been surveyed, the necessary machinery has been removed there from the Godavery, and in the course of three years, when this work will probably be completed, the irrigation works in the Presidency of Madras will have extended to 3,400,000 acres of land, which will be available for the cultivation of sugar, cotton, rice, or other crops requiring irrigation. In the Northern Provinces the irrigation works are carried on in a different way. Instead of dams, canals are constructed. The Jumna canals, which have been constructed some time, have brought 625,660 acres into cultivation. With regard to the Ganges canals, they were sanctioned in the year 1838, but were unfortunately stopped by Lord Ellenborough on his arrival in India. Some notion was entertained that they were likely to prove prejudicial to the health of the inhabitants; an inquiry was made into this point by order of Lord Hardinge, to whom it was reported that no disadvantage whatever could accrue to the health of the district, and the works were therefore ordered to be continued. They were begun in 1848, and, according to the report of the committee of engineers they will be completed in 1856. By that time 810 miles of irrigating canals

will have been constructed, and 1,560,000 acres of land will be watered by the canals in connection with the Upper Ganges. Similar works are now in course of construction on the Ravee in the Punjab, which will also be probably completed about the same time, and about half a million of acres will be watered by canals of 450 miles in length. The total number of acres which will be irrigated by the canals in the Bengal and Madras Presidencies amount to nearly 6,075,660; but this certainly does not give an adequate notion of the extent of land that will be benefited by the irrigation. As regards the districts to be watered by canals, one third part only requires the actual irrigation, although the remaining two thirds derive the greatest advantage from supply of water. The above amount therefore is far below that actually benefited, and the total amount of acres benefited by irrigation will be between 14,000,000 and 15,000,000, or rather more than the whole cultivable area of Ireland. I see also that sanction has been given to the construction of two lines of canal from the Indus, one of them being near Shikarpoor, the other near Hyderabad. It is, no doubt, of late years that the attention of Government has been more and more called to this subject; the officers employed in the administration of the country have seen the great advantages which these works have conferred on the people, while at the same time the revenue has been increased, and they are, therefore, encouraged to press them forward to a greater extent and with greater rapidity. Their exertions have been approved and seconded by the Government both in

India and at home, and the best security the public can have for the prosecution of works of this kind is, that they contribute to the improvement of the revenue as well as to the benefit of the people. Measures have been taken both in India and this country for putting these works on a better system than that on which they have hitherto been conducted. Formerly, they were divided among different boards, an arrangement which created great confusion. In Bengal superintending engineers have now been appointed, who are responsible for the whole of the works in their respective districts. Only the other day a despatch was sent to India, giving instructions that the whole system of public works should be placed upon a better and more general system; that an annual estimate should be prepared for the whole of the public works in each Presidency; and that a considerable portion of the revenue should be annually expended in a systematic manner on those which are the most important. I do not know that I can expect the House to listen with much patience to the details into which I must now enter with respect to the tenure of land in India. Great complaints are made by those who think that the tenure of land in the Madras Presidency interferes with the production of an article which it is desirable to import into this country—viz., American cotton. In the Madras Presidency the ryotwar system obtains, which is an arrangement made between the State and each cultivator. The land is divided into very small portions, varying from one to ten acres. The opponents of this system desire that it

should be abandoned, and a description of landlords created, holding, as nearly as may be, the same position as the landlords in this country. That was a favourite system with the Court of Directors for many years—the Presidency of Bengal was settled upon it in the time of Lord Cornwallis. It is called the "Zemindary system." The Court of Directors desired that it should be extended to the Madras Presidency, and measures were taken for the purpose of doing so. Land was divided into lots, each constituting an estate of considerable size for India, and, to all appearance, landlords of the desired description were created; but, most unfortunately, this scheme turned out a complete failure. The system which now prevails in the Madras Presidency is the consequence of the failure of the attempt to create a system of large landlords. The Zemindary system is now represented as an inestimable benefit to the whole of the population. Lord Hastings did not think so. What was his account? He speaks of the benevolent purpose of Lord Cornwallis, and says :—"Yet this truly benevolent "purpose, fashioned with great care and delibera- "tion, has, to our painful knowledge, subjected "almost the whole of the lower classes throughout "these provinces to most grievous oppression; an "oppression, too, so guaranteed by our pledge, "that we are unable to relieve the sufferers; a "right of ownership in the soil, absolutely gra- "tuitous, having been vested in the person through "whom the payment to the State was to be made, "with unlimited power to wring from his coparceners "an exorbitant rent for the use of any part of the

" land." I quote this description to shew that the Zemindary system has its dark as well as its bright side; and indeed each of the systems of local tenure has its advocates, who maintain its exclusive advantages, and condemn every other mode of tenure. It is very difficult to decide on their comparative merits. We may well hesitate before we attempt again to introduce that system into the very district where its failure has been most complete. It appears by the evidence given before the Committee of 1832 by Mr. Lewin, a gentleman very well acquainted with many parts of the south of India, that the ryotwar system was the natural and ancient tenure of land in that part of India. The person by whom it was more generally extended throughout the Presidency of Madras was one of the ablest of Indian servants, Sir Thomas Munro. There was no desire on the part of the then Government to extract large amounts of rent from the ryots,—there was no imperative order for the establishment of the system; it was established by a man who had the interest of the natives very much at heart, who was better acquainted with them and with their habits and customs than most people, and who, in spite almost of the directions of the Government, established the system, believing it, in his experience, to be most certain to benefit the country. In Madras the Government stands in the relation of landlord to the cultivating ryot, and I think that the most determined advocate of tenant-right in Ireland would be charmed to see a relation between landlord and tenant introduced into that country such as that which was estab-

lished in India by Sir Thomas Munro. It entirely prevented the existence of a middleman; the rent to be paid by the tenant was fixed at one-third or one-fourth below the average payments of the preceding 10 or 12 years; and so long as he cultivated the land, and paid his rent, the cultivator possessed an indefeasible right to his holding. Circumstances have, no doubt, changed since that period, and the amount of rent then imposed has, I think, become too high in consequence of the general fall in the price of the produce of the country, and on this ground a revision of assessment may be desirable. The principle, however, of the ryotwar system is what I have described, and what is commonly called the annual settlement is in truth only determining how much of the stipulated rent shall be remitted to the ryots in each year in consideration of adverse seasons or other causes which render them unable to pay the fixed rent.

In the North-Western Provinces what is called the Village Settlement prevails, and seems, so far as we can judge at present, to answer there very well, and in consequence we are recommended by some persons to extend it over all India. Certain persons undertake on behalf of the whole village to pay the land revenue which is assessed upon it. Leases are granted for 30 years, which gives them a more permanent interest in the land, and they are responsible for each other's defaults. Some of the land is cultivated by themselves, some by other persons not named in the lease from Govern-

ment. The system suits perfectly those districts where it is in accordance with the old habit of the country, but it is a very different question whether it is possible to extend it to other parts of India. In Bombay which is principally settled on the ryotwar system, long leases are very generally given to the cultivators, which gives each man an interest of considerable permanence in his land. It might be desirable to endeavour to substitute the village settlement for the ryotwar system; but there are very great difficulties to be overcome in any attempt to do so. When I asked Sir George Clerk whether he thought it possible to change from the ryotwar system to the village settlement, he replied that it would be almost impossible. In the ryotwar system the landlord deals directly with the tenant; in the village settlement a certain number of persons undertake the responsibilities for their neighbours, and if persons willing to do this cannot be found, or if all parties do not agree to the arrangement it becomes an impossibility. Hon. Gentlemen will see how very difficult any operation of this kind must of necessity be. The truth is, we have in times past committed the greatest injustice and injury by attempting to force on different parts of India a system to which their habits and customs are opposed. We committed great injustice in Bengal when we introduced the permanent settlement system there. We committed great injustice by forcing the same system on part of the Madras Presidency. We commited great injustice in our first attempts to

settle the North-west Provinces; and at last we have come, by dint of long experience, to this conclusion, that we must in each case endeavour to adapt our system to the local customs and habits of the natives. Everybody acquainted with India knows how exceedingly difficult it is to induce the people to depart from the habits and customs of their forefathers. Sir G. Clerk, who knows the North-west Provinces, who has been Governor of Bombay, and who had ample opportunities of inquiring into it, has expressed a favourable opinion on the village system; but there are many persons who entertain serious doubts respecting its advantages. All these matters, however, we must leave to the Administration of India—to the decision of those best able to judge of the wants and feelings of the people and to ascertain what measures under the circumstances are most likely to promote their welfare. Our object must be to frame our settlements, not on what seems theoretically to be the best, but in such a manner as is most suited to the wishes and habits of the people in their various districts.

Connected with the tenure of land there is a subject to which I wish to refer very shortly—I mean the cultivation of cotton, which is universally acknowledged to be of great importance both to England and to India. Some time ago, as many Hon. Gentlemen well know, all the cotton of India was of a coarse description and short staple. It was well enough suited for the Indian and Chinese manufacturers; but it was wholly unsuited to compete with the American cotton in the manufactures

of this country. For some years the East India Company have taken pains to introduce cotton of American growth, and to ascertain whether the climate of India is favourable to its cultivation. I think that happily that point has been abundantly established. For some time they established cotton-farms, which, as might have been expected under Government management, turned out exceedingly unprofitable. They then undertook to purchase at a certain price all the American cotton grown by the ryots, and it is now clear that the ryots understand the cultivation of the American plant very well. On this point Dr. Wight, the late superintendent in the Madras Presidency, says:—

"Within the last two years many of the ryots of "Coimbatore seem to have become so well con-"vinced of the much greater advantages of culti-"vating the exotic than their indigenous cotton "plant, that (unless I am greatly misinformed) "they planted last season from 1500 to 2000 "acres of ground with it, and seem as if they in-"tended to treble the quantity in this year." It is thus proved that the ryotwar system is no inseparable obstacle, as had been alleged, to the successful growth of cotton. But in addition to this native cultivation, three or four Englishmen have gone out to India to establish cotton plantations. I speak again on the authority of Dr. Wight, who states that,—

"On the coast, within the last three years, Messrs. "David and Arthur Lees, Messrs. T. and L. Shaw, "both from Manchester, and Mr. Kenrick, of

"Madras, have embarked in the undertaking. The "aggregate extent of land under cultivation by "these persons amounts, I think, to about 2,500 "acres, exclusive of smaller patches held by others, "whom they have induced to follow their example."

Some time back the East India Company having, as I said, ceased to cultivate their cotton-farms, they bought up the cotton produced by the ryots, at fixed prices, if not bought up by other persons. But the fact that American cotton can be grown in Madras having been satisfactorily established, I think the interference of Government ought to cease. It is their duty to provide roads and to facilitate the communication between the plantations and the port of embarkation, but the encouragement of the growth of the article ought to be left to private enterprise. I have no doubt that private individuals will be found either to take land or to make arrangements with the ryots for the delivery of the cotton grown at a certain price. The whole question is dependent on the fact whether there will be a certain market for it in this country. If there is a certainty of a market, the cultivation will be carried on. No doubt, the price to be given for this cotton from India depends on the price of the American cotton; but it ought to pay to export cotton to England if it pays to export it to China. The exportation has increased considerably of late years, and I have no doubt, if steps are taken by the parties who are principally interested in the matter, that good American cotton may be grown to a very considerable extent. On

this subject I will read a portion of a letter from a native of India which bears on the question. Speaking in reference to the growth of cotton and the necessary interference of English capital, this gentleman (Manockjee Cursetjee) says:—

"If they are in earnest, nothing that I can see "impedes their acting independently of Govern- "ment; and, if they would but form themselves "into an association, subscribe a sufficient capital "among its members, and judiciously lay it out in "farming or purchasing from the Company's Go- "vernment or its allies—the Nizam and other— "districts capable of being improved by such out- "lay, they would not only render England inde- "pendent of America in respect to their cotton "supplies (which appears to be their grand object), "and obtain an accession to their imports of other "East Indian produce, but they themselves would "reap a large profit independently of the considera- "tion of improving the moral and political condi- "tion of the people of the place. On the other "hand, it can hardly be expected that the natives "of India, if left to themselves, would bestir them- "selves in any such national undertakings, their "ideas and prejudices being generally against any "innovation."

That is the opinion of a very enlightened native of India, well acquainted with the feelings and prejudices of his own countrymen—and he thinks all that is wanted is that the plant should be cultivated by British capital, that the required capital should be sent out to India, as was done in the case of

indigo. [Mr. BRIGHT.—"Where was that letter written? Was it written in England or India?"] It was written in India. [Mr. BRIGHT.—"What is the date of it?"] I am not sure as to the date. I find on looking at the paper that I have no date marked on it. Well, Sir, next comes the subject of the revenue of India. I will trouble the House but very shortly on that subject. The revenue of India is raised almost entirely by what is called a land-tax, which is in the strict sense of the word not a tax at all, but is a portion of the rent of the land. All preceding Governments of India have invariably taken different portions of the rent of the land as constituting the main article of revenue, and the English Government have followed their example, and about three-fifths of the whole revenue of India is raised from this source; so that, according to the description of the able historian of India, Mr. James Mill, "the wants of "the state are nearly altogether supplied really and "truly without taxation." It leaves every person at liberty to cultivate his land as he pleases, and does not affect his industry in any way whatever.

And again, to use Mr. Mill's words, "The wants "of the Government are mainly supplied without "any drain upon any man's labour, or the produce "of any man's capital." In Bengal the amount to be paid from the land is a fixed charge, and the revenue is certain; in Madras the assessment varies, as I have stated; in the North-western Provinces the rule has been laid down, which had been found most beneficial, that two-

thirds of the net proceeds, after providing for the expense of cultivation, should be paid to the State, and that one-third should go to the tenant. The next main item of revenue is that derived from opium. In Bengal the Government pays a fixed price to the cultivator for the poppy juice, and manufactures the opium. There are then public sales of opium, and the revenue is derived from the difference between the sums realized at these sales and the price paid for the poppy juice added to the cost of manufacture. The opium grown in the Native States of India must of necessity pass through our territories to the ports of embarcation, and our revenue is levied on the passes granted for the opium so brought down. The revenue has increased to a very considerable amount from this source of late years, and it is, according to our last returns, nearly £3,500,000 sterling. I have had stated to me various objections to revenue from opium, some from the moral consideration of selling a drug of this kind to another nation, but I hope to receive, in this instance, some approbation from Hon. Gentlemen opposite, because we have, according to their principle, succeeded in raising the main portion of this tax from foreigners. There are objections, as I have said, urged against this tax, some of them on moral grounds, but it was inquired into by the Committee of 1832, and their report stated,—

"Although the Government monopoly must, in "all probability, like all other monopolies, be dis- "advantageous, yet it does not appear to be pro-

"ductive of very extensive or aggravated injury; "and, unless it should be found practicable to sub- "stitute an increased assessment on poppy-lands, "it does not appear that the present high amount "of revenue could be obtained in a less objection- "able manner."

The next large item of revenue is one to which, no doubt, considerable objections may also be said to exist, and that is the duty on salt. (Hear, hear.) Let Hon. Gentlemen who cry "Hear" remember what has been the doctrine urged on us by great political economists of the liberal school for some years—that, whatever revenue must be raised, from some source or other beyond direct taxes on property, should be raised on as few articles as possible—that some few articles should be selected, and the whole amount of our taxation should be put on them, and that all other articles should be left free. That view has been almost completely carried out in India, and every article of consumption is relieved from tax except salt. The Customs' duties are of very trifling amount, and all other articles of consumption are totally and absolutely free; and, though I quite admit that it would be desirable, if possible, to reduce the duty on salt, and, when we have a revenue to enable us to make the reduction, no doubt we ought to do so, yet, after all, the tax is not so very heavy as has been supposed. I see by the table before me that the average consumption of salt per head in India is about 12 lbs. a-year, and, the duty being $\frac{3}{4}d$ a pound, the actual amount of duty paid by

each person in India amounts to not more than 9*d* a-head per year. Now, considering the absolute freedom from all duty of any sort or kind on other articles, I cannot say this is a tax of so very oppressive a nature as it has been said to be. It is hardly worth while going into the other items of revenue, the whole revenue of India being about £26,000,000 a-year. (An Hon. Member.—"Not so much.") By the last accounts of the revenue, and according to the printed papers to which I have referred, we have for the last year to which the accounts come a revenue of £25,890,000 a-year.

I have now, Sir, referred to those subjects which have been the general topics of the charges against the administration of India during the last twenty years. I think I have shewn that, with respect to public works, considerable misapprehension has prevailed if it is supposed that nothing has been done. I think I have shewn that, with respect to the system of land settlement, which is supposed to be most prejudicial to persons holding land in India, any attempt to alter that system of tenure might, if done hastily or rashly, as we have sometimes acted in this matter, be productive of as much insecurity and injustice as has been caused by hasty though well-meant proceedings in former times.

If we look to that which has been done by us in the course of the last twenty years, I think there is much on which we may congratulate ourselves.

I find that in the last twenty years, partly by law in our own dominions, partly by influences exercised

by us on other States, in the greater part of India Slavery has been, in fact, put an end to.

In the year 1829 Suttee was abolished by law in our own portion of the country; in 1840 it was abolished by the Guicowar, and by the chief of other States adjoining; in 1846 it was abolished in Jypore by the influence of Colonel Ludlow; and eleven out of eighteen of the Rajpoot States followed the example. In 1847 Lord Hardinge announced that,—"Suttee, infanticide, and slavery "are prohibited throughout the territory forming "the remotest Hindoo principality of India "(Cashmere)."

There was hardly any crime so prevalent among the Rajpoot states as Infanticide; in fact, it was not considered by them as any crime at all; and it is most interesting to witness the influence of a single officer in putting an end to this system of murder. This has been effected by the exertions of one man, Mr. Unwin, in a state where it prevailed to a frightful extent. In Mynpoorie, in 1843, there was not a single female infant left alive; in 1850, 1400 female infants were born during the year, and were alive at the end of it. Mr. Willoughby has used similar exertions, and with very great success, in Kattywar. When we remember that on this subject the prejudices of the Rajpoots were exceedingly strong, that it raised a blush to their cheek, and that they conceived it almost a degradation to have female children, we must take it as a strong proof of the influence of a single officer that he should have been enabled to put down a crime of this

nature, so prevalent, and so rooted in the habits of the natives. I know there are many persons who have a fancy of looking back to some golden age of Hindostan, before the English foreigner set foot on the soil, when a system of law and order, of tranquillity, justice, and peace prevailed, such as has not been witnessed since; and yet I confess that the further I inquire the further this age of gold seems to retire from our sight, and when I refer to history and to documents the most ancient I can get, I confess I never yet have been able to discover a period when this universal peace and prosperity prevailed. In no period to which authentic history reaches can we find anything like the peace and comfort which prevail under our rule in India, and I will not go back to the fabulous days when an Indian Apollo piped to his attendant shepherds. It is within the last twenty years that the monstrous system of Thuggee was discovered and put down—a system by which murder was carried on under the sanction of religion. Could anything be more monstrous than this, that a large class of people, believing they were performing acceptable sacrifices to the Deity, should roam from one end of the country to the other and commit wholesale murders for no object whatever but the mere commission of the murder? In referring to this question of the state of India in former times I have found the assertions in some quarters of the mischief of our rule so strong that I have thought it necessary to look back to records of those former times to see what the facts

really were. I have referred not to any English historian, because he might be partial, but to a foreigner, long resident in this country no doubt, as Minister from Sweden, but still to one whose character is well known to those interested in Indian affairs. Count Bjornstjerna quoting from the *History of Hindostan*, of Golaum Hoosein Khan, says:—

"At this time (the beginning of the 18th cen-
" tury) all prisoners of war were murdered—all
" suspected persons were put to the torture; the
" punishments were impaling, scourging, &c. The
" people in certain provinces were hunted with dogs
" like wild beasts, and shot for sport. The property
" of such as possessed anything was confiscated, and
" themselves strangled. No one was allowed to in-
" vite another to his house without a written permis-
" sion from the vizier or rajah of the place where he
" lived, and the people were constantly exposed to
" the most dreadful plunderings and outrages. Such
" (continues Count Bjornstjerna) was the situation
" of Hindostan during the latter part of the dominion
" of the great Moguls. It became still worse when
" Nadir Shah, like a torrent of fire, overwhelmed
" the country, and was perhaps most unhappy
" when, after the departure of Nadir, India was left
" in the power of the Mahrattas, whose only object
" was plunder and devastation. Hindostan then
" presented a picture of such unheard of oppression
" that one shudders at the description. Thousands
" of examples may be found in the history of these
" times of the whole population of conquered towns

" being massacred by the conquerors. Delhi, which " then had more than 1,000,000 of inhabitants, " became quite desolate after Nadir Shah's massacre, " which continued seven days without intermission. " Shah Abdala, Nadir's successor on the Persian " throne, also left it to the pillage of his outrageous " soldiery (1761), and it fell a third time a sacrifice " (1767), to the power of the Mahrattas, who mas- " sacred all who could not save themselves by " flight."

That is a picture of the period of the administration of the Great Mogul, and that is the period which is always quoted as the time in which Hindostan was so extremely peaceful and prosperous—a state from which it has fallen into degradation under our withering rule. Well, but we are told that justice is so badly administered under us, that here again the contrast with former times is very much against us. (Hear.) Now, I will read the Hon. Member who seems to think so an article on this subject from a native paper published at Delhi:

" Let us give a specimen of what the English " really do for this country. In former times, under " our vaunted ancient kings, there were many " places in this very city (Delhi) where a poor man " could not venture after sunset without the chance " of having his turban stolen off his head; and now " a weak old man may pass in safety over that same " ground with a bag containing 1000 rupees in his " hand. The roads through the wilderness were " so unsafe in former days, that no one dared to " travel without an armed guard, and robberies in

" the jungle were of constant occurrence. Now the
" loneliest traveller knows no fear. We often hear
" the praises of this king, or that wuzeer, who
" perhaps built a paltry serai, or laid a dawk to
" Cabul to provide himself with musk melons; but
" who does not know that our Government, by the
" construction of good roads, has placed the luxuries
" of distant places within the reach of the poorest
" people; then as to the administration of the laws,
" Under the native rulers of old justice was put up
" for sale, and this is now unblushingly done in the
" independent native States; while, under the
" British rule, rich and poor, black and white,
" Christian, Hindoo, and Mussulman, all alike
" obtain equal justice. The kings and rajahs of
" old defied all religions as they sat on the judg-
" ment seat; whereas the British study the religious
" scruples of every suitor, consulting the Mooftees
" when Mussulmans are concerned, and the Pundits
" in the case of Hindoos, and they do their best to
" discourage litigation by promoting the adjudica-
" tion of cases in Punchayet."

I refer those who speak to the deterioration of the country under our rule to the opinion of a native writer on the subject. The Hon. Member who cheers may know better than any native, but he will forgive me if I prefer the testimony of a native editor to the information he may have on the matter.

Well, Sir, we examined Sir George Clerk, who is well acquainted with the North-western Portions of India, on this subject, and he stated :—

"On the decline of the Mahomedan Empire,

"every village found it necessary to repair the "defences which had existed or to erect new ones "if they had none before. All Upper India was "covered with bands of horsemen, Sikhs, dashing "at everything, and the inhabitants only repelled "them by erecting little citadels in the middle of "the villages with watchmen aloft on a high look-"out. The bricks which formed these redoubts "are now all taken for the houses of the cultivators. "There are no such defences now to be seen in "the British territories. The districts are highly "cultivated. There is not a vestige of the jun-"gles near villages."

I will refer now to the statement that even at the present time, the condition of our territories is worse than that of those under the rule of their own Princes; and I will read the statements in some recent Indian papers with respect to the condition of affairs and of existing society in Native States. Let us take the State of Oude. In the *Calcutta Englishman* we read,—

"The continual warfare which distracts Oude "for eight months in the year, is now carried on "upon a more extensive scale than ever."

Is that a condition of things more favourable to the cultivation of the soil and the prosperity of the inhabitants of the country than exists in British India? Again, as to the Nizam's territories it is stated in the *Madras Spectator*—

"The state of violence and rapine is such that "capitalists do not quit their houses till they have "provided escorts from their military friends."

That this is not an inaccurate representation of

the state of things in the Nizam's territories is certainly confirmed by what I heard from the late Resident there, whom I saw the other day, and who had the best opportunities for knowing the real state of the case. Now, be it remembered, that it was into this very territory of Hyderabad we were told by one witness that the people of our districts fled for refuge—and when they got there this is what they had to expect. The conclusion of that evidence, however, was not a little remarkable, because we were told by the witness that these people fled to escape the technicality of English law, and it appeared that this was owing to the use of stamped paper, for they thought it would be perjury if any false statement were made on stamped, while it was not so on unstamped paper. I have often heard Rampoor, one of the native States quoted as being much better governed than any part of our own dominions; but it is curious enough that the present Nawâb of Rampoor had been a deputy-collector in one of our provinces, and has improved the administration of his country in consequence of the knowledge of the methods of doing so, which he had acquired when he was employed in the service of the Company. I have no reason to think that the works which have been executed by native princes are at all superior, or, in fact, can at all compete with those works,—bridges, canals and roads,—which are executed by our Government. No one is better acquainted with the ancient history of India than Sir H. Elliot. No one is better acquainted with the

administration of the North-western Provinces of India than Sir H. Elliot is. Here is what he says: —

"To the North-western Provinces, at least, cannot "be applied the taunt that we have done nothing "compared with the Mahomedan emperors with "respect to roads, bridges, and canals. Even here, "in the very seat of their supremacy, we have hun- "dreds of good district roads, where one never ex- "isted before, besides the 400 miles of trunk road, "which is better than any mail road of similar ex- "tent in Europe, and to which the emperors "never had anything in the remotest degree to be "compared. In canals we have been fifty times "more effective. Instead of wasting our supply "of water on the frivolities of fountains, we have "fertilized whole provinces which had been barren "from time immemorial. The scientific survey "alone of the North-western Provinces is sufficient "to proclaim our superiority, in which every field "throughout an area of 52,000 square miles is "mapped, and every man's possession recorded. "It altogether eclipses the boasted measurement of "Akbar, and is as magnificent a monument of civi- "lization as any country in the world can pro- "duce."

Why, Sir, really when I read these things I am am at a loss to account for the assertion so recklessly made even by some who, from their acquaintance with the country, I should have thought had been in possession of better information on the subject, that we are disgracefully neglecting our

duty in regard to India. Not many years ago there was a system of most odious transit duties through India; there was a Custom-house at intervals of every eight miles, at which goods were stopped and subjected to a heavy Customs duty. Those duties have been entirely abolished. [An Hon. Member.—"How long since?"] They were abolished at various periods in different Presidencies. In Madras, which is the last place in which they were given up, they were abolished in 1844, and the Customs revenue was reduced, in consequence, from 36 lacs of rupees to 18 lacs—a loss of one half. I must say that I see no evidence from which it can be supposed that the condition of the people in India is not so good as that of the people in most other parts of the civilized world. If Hon. Gentlemen will turn to a book of not very recent date—*Bishop Heber's Journal*—they will find there accounts of the state of the Presidencies, showing a degree of comfort among the people which, taking into consideration their condition and the requirements of their climate, may be looked upon as superior to what we should find in many parts of Europe. I will not trouble Hon. Gentlemen by quoting from that work, with which they are probably familiar but I will refer to a more recent publication, because it states the condition of the peasantry in that portion of India where it is asserted that the ryotwar system is productive of the most injurious effects. This is a quotation from the work of Mr. Dykes, late assistant-collector of Salem, re-

specting the condition of the people in that district of the presidency of Madras. Mr. Dykes says:—

"Agricultural labour can readily be obtained "for 1*s* 3*d* a week, the articles of daily consumption "being cheap in the extreme. The Government "demand for an acre of dry land (2*s* 8*d*), scarcely "exceeds what a common labourer can earn in a "fortnight, about which amount of labour will find "him with an ample supply of salt for the whole "year. The signs of improvement cannot be mis-"taken. When the people throw down the walls "of their villages and towns; when the cottage "shines out among the distant fields; when the "children drive the cattle to pasture, and troops "of women pass fearlessly along the public roads, "seeking the neighbouring markets—these, surely, "are different times from those that saw the ryot "go to the plough with his spear or his matchlock "in his hand; when the trade of the country, car-"ried on bullocks, straggled from village to village, "guarded ever by armed men, and the merchants "feared to engage in cultivation, because such gains "could not be hid with sufficient ease; the greatly "increased fertility of the soil, the increasing traffic, "the improved bazaars, the value that land, even "under the present system, is everywhere acquiring, "all show clearly that capital is accumulating, and "that the condition of the people is better than it "was."

These statements, of course, refer only to particular districts, though I have no reason to suppose they are not fair specimens of what exists throughout

most parts of our Indian territory. But we have still more convincing proofs, not only of the increased power of production, but of the increased power of consumption of the people of India in the returns of their imports and exports. I see, for instance, that the average importation of their sugar and molasses into this country in the ten years ending 1842 was about 444,000 cwt., while the average importation in the last ten years has been 1,369,000 cwt. The average importation of rum has risen during the same period from 233,000 gallons to 600,000 gallons, and has thus been more than doubled. The importation of coffee has risen from 2,358,000 lbs. to 3,256,000 lbs. The importation of cotton wool has increased from 58,000,000 lbs. to 80,000,000 lbs. So much for their powers of production. Now for their powers of consumption. The value of the cotton piece-goods imported into Calcutta in 1833-34 —and this will be some comfort to the manufacturers of this country—was £700,000, while in 1851 it was about £2,950,000. Surely that shows a power of consumption which proves most completely that the condition of the people must be improved of late years. Well, Sir, I will take now the whole exports and the whole imports of India, and the case is still more remarkable. The value of the whole imports of merchandize in 1834-35 was £4,261,000 while in 1849-50 it was £10,300,000, being an increase of no less than 140 per cent. The exports in the same time have increased from £7,993,000 to £17,312,000, being an increase of 112 per cent. With all our boasted increase of trade at

home, the value of our exports in the same time has increased, not 112, but only 66 per cent, while the improvement in production in India, as measured by the exports, has thus increased in nearly double the ratio of that which indicates the increase of production in this country. Can anybody believe, after these figures, that the condition of the people of India has deteriorated in the course of this period; and must it not be apparent, on the contrary, that alike in their powers of production, and in their means of purchasing the quantities of goods which have actually been imported into India, ample proof is thus afforded of the vast improvement of the condition of the people.

There are many minor topics which I should be anxious to mention, as affording evidence of the desire on the part of the Government of India to advance the interests of that country. I will only refer, however, to the trigonometrical survey, which is a work of vast importance, not only for scientific purposes, but for the more practical object of facilitating the surveying and laying down the boundaries of villages, and indeed of every man's property and occupation, and of preventing the constant litigation as to the rights of the various owners and cultivators of land. We are establishing lines of electric telegraph for 3,150 miles, connecting all the great towns of the Indian peninsula; and I must say it affords me the greatest satisfaction to read the constant accounts of the attention which is paid to the improvement of the people in various ways, by the establishment of dispensaries, the extension of vaccination,

the formation of schools, and various matters of that kind, which in other countries are left to the charity of individuals, but which in India have been taken up by the Government, and which prove, I think, that in every part of that vast empire unremitting attention is paid to the improvement of the condition of the people. I have before stated that many things may have been left undone, many things ought to have been done more completely; but I must say, that I think great credit generally is due to the administrative officers in India for the energy and zeal which they have displayed in their various functions; to the Government of India for supporting them in their administration; and to the Government at Home, who have invariably urged upon the Indian Government measures for the welfare of the country, —who have sanctioned almost every expense asked for such purposes,—and who have encouraged by their approval the exertions of the various officers. I will only allude to the opinion of one of the ablest of modern historians who has written an account of the administration of India in late years—I mean the author of the *History of the War in Affyhanistan*, Mr. Kaye,—who concludes his work with a review of what has been done in India, in which he says that much has been omitted; much more might have been done than has been done, if means had been available; but that, as it was, "more good "has been accomplished in India—more earnest, "serious, and enlightened legislation has taken place "for the benefit of the people under the Act of 1833 "than during the previous two centuries and a "quarter of British connexion with the East."

I am afraid I have wearied the House by these details. I have felt, nevertheless, that I should fail in doing justice to the authorities of India, and to the administration of that country during the last twenty years, that we should not have been enabled fairly to judge of the manner in which the government has been conducted; that we should have been liable to be misled by those representations which have been industriously circulated, and which seem to have met in some quarters with a belief to which I think they were not fairly entitled, if I had not endeavoured to put before the House what I believe to be a true and faithful picture of the state of India and the government of India during the last twenty years.

Now, Sir, I fully admit that it does not therefore follow, because all these improvements have taken place, that the Government of India either ever was, or is the best that can be devised, but I say this—that if we are to test the government by the results of that administration on the condition of India, there is no ground whereupon to condemn it as being negligent and inefficient. I fully admit that if you are to test the present form of the Indian Governments by any known principles upon which government should be framed, it would be difficult to find so great an anomaly as that form of government, except the still greater anomaly of our whole Indian Empire. I admit that it is almost incredible, that it is fabulous, that such an empire as our Indian empire should exist—that a country of some 2000 miles in length and some 1,500 in breadth, containing 150,000,000 of inhabitants, should be ruled by a mere

handful of foreigners, professing a different religion, speaking a different language, and accustomed to different habits,—that this mighty empire should be administered by less than 800 civil servants - the number of those servants, be it remembered, not having increased with the increase of our dominion, but having, on the contrary, diminished,—it seems incredible that a private nobleman or gentleman should be sent there from this country who for five or six years, as Governor-General, exercises a power greater than almost any sovereign in the world—that he again should be controlled and governed by twenty-four gentlemen, elected by a body of men not perhaps the best qualified to judge of the merits of a statesman ; and that this body of men should be in their turn controlled by an Indian Minister who, in the necessary play of parties, is often put into that position without any previous knowledge of the Government of the country over the destinies of which he is called on to preside. No man, if he were to sit down to the task of constructing a Government for India, would dream of constructing a Government upon such a system for so mighty an empire. But it must be remembered that this form of government has grown up along with the growth of our Indian empire. Defects there may be in that Government, imperfect it may be, but surely, whatever its faults in theory, it cannot have been so badly administered, when under it that empire has so grown in extent and in prosperity, and the condition of the people has been so much improved. That it has been made more fit by

alterations at various periods for the advancement of the interest of the people every one knows. That it is not now what it was twenty years ago, and was not then what it was twenty years before is known to us all; and, the period having arrived when it is necessary for us to deal with the Government of India, and to provide for it after the 30th of April next, it becomes essential to consider in what shape it should be once again remodelled and framed, in order to insure that which it is our bounden duty to look to—in the first place, the welfare of the people of India, and in the second place, and dependent upon that, the interests of this country, which two considerations, however, I firmly believe to be inseparable.

Now, Sir, the Government of India must necessarily be considered under two different branches—the Government at home, and the Government in India.

I will proceed, in the first place, to deal with the Government at home. Faults of various descriptions have been found with the Government at home. It has been said, in the first place, that there is no responsibility. In the next place, we were told, in the earlier stages of the discussion, that the Court of Directors was an obstruction to all good government. Latterly a different line of argument has been taken, and we have been told that the Court of Directors is a fiction which ought to be done away with as utterly useless. Great complaints have been made also as to the mode of electing the Directors, and fault has been found with the existence of patronage in their hands, and the

mode in which it has been administered. A further fault has been found with the mode of transacting business, as being slow, and leading to unnecessary and mischievous delay. I believe I have stated fairly the principal heads of accusation against the home Government of India. Now, the House will observe that two of these heads are quite contradictory of each other. It is impossible that the Court of Directors can at the same time be a perfect obstruction to good government, and yet so complete a fiction as to be dispensed with without being missed. We must deal with it as either one or the other, and the arguments on the one side completely upset those on the other. I think that, as usual in all cases of this kind, the truth is to be met with in neither of the two extremes, and that it lies, in this case, as it often does, between the two contradictory propositions. Most of the misrepresentations which have taken place on this subject seem to me to have arisen from considering the Government not as it is practically carried on, but as it might be carried on under the full exercise of those extreme rights that belong to the different members of which the government of India consists. It would be just as absurd to say that the government of this country could not be carried on because the three branches of the Legislature, if each exercised the rights to which it was entitled, would constantly come into collision with one another, or that business in this House must practically be put a stop to from the power which by the exercise of his extreme privileges any

individual member possesses of obstructing public business. What we have to deal with is the practical mode in which the business of the various departments is carried on; and upon this subject I must be permitted to say, with reference to the course which has been taken in the Committees appointed by this and the other House of Parliament, that it is useless to examine persons coming from India, and persons who, not having had any experience in the mode of conducting business here, really can tell us very little on the subject. Those who have been in one office or the other, the Board of Control, or the India House, and who know how the business of the several departments is conducted, are far better able to give information upon the subject than those who, from want of experience, cannot by possibility know anything of the matter. The home business of the Government of India may be divided into two distinct parts. One comprises the political relations of the government of India with other States, and questions of peace and war. These questions are decided not by the Court of Directors but by the Government of this country, and their orders are sent through the Secret Committee of the India House, and for these decisions not the Court of Directors, but the Government of this country, is entirely and altogether responsible. Upon that point, therefore, there can be no question as to divided responsibility or anything of the kind. The Secret Committee merely acts as an organ to convey to India the directions sent from the Board of Control, and the President of the Board of Control is,

in that respect, only the organ of the general Government. A good deal of unnecessary importance appears to me to have been attached to a declaration made by Lord Broughton, that he alone was responsible for giving an order to the Indian Government as to crossing the Indus by the army for the Affghan war. But that order must have been signed not by Lord Broughton alone, but by two Cabinet Ministers, and he was no more responsible for the order than the Secretary of State at the time for the order directing the Duke of Wellington to cross the Pyrenees. The act is not the act of the President of the Board of Control alone; it must be in pursuance of the determination of the Government. There is no mistake, no concealment, about the matter, and it is nonsense to talk of the irresponsible power of the President of the Board of Control, because the Government of this country is as responsible for war in India as it is responsible for war in Europe, Africa, or America. The other great branch of the Government is what is called the ordinary business of the administration of India, and in that the Directors take a very considerable and important part. Every despatch is addressed to them, all questions are considered by them in the first instance, and they have the initiative on every question. Grants of money cannot originate in any way with the Board of Control, and in the exercise of patronage, except in some of the higher appointments, the Directors are entirely uncontrolled. In the greater portion of their

business, however, they are liable to the check and supervision of the Board of Control. A draft of every despatch is sent up to the President of the Board of Control, is considered and revised by him, is sent back to them; is submitted to a committee at the India House and then to the Court, and is there carefully revised; and it is only just to the Directors that I should say, as far as my experience goes, I have reason to know that the most careful attention has been given by them to every important despatch. It is quite true that the President of the Board of Control has the power of overruling, in the last resort, the Court of Directors. I therefore fully admit that I am responsible to this House for any acts in the administration of India, just as the Secretary of State for the Colonies is responsible for the acts of administration connected with his department. In substance, there is no difference between the two cases, though there may be a difference in form. Hon. Gentlemen seem to treat this question in a very singular manner, for at one time we are told it is impossible to say that the Court of Directors can be responsible, and at another time that it is impossible to say they are not responsible; and again that they cannot find out who are responsible for the government of India. The simple state of the case is, that the President of the Board of Control is the person responsible to Parliament for the Government of India. But all this is nothing new. It has been stated over and over again to be the case for the last seventy years, and it has been perfectly

well known to every one who has thought it worth his while to inquire into the subject. The same fact has been stated, in better language than I can pretend to use, by Lord Grenville, who, in 1813 used this remarkable language:—

"The law which passed in 1734, the source of "all these benefits, the very line of demarcation "from which commences the good Government of "India, did actually commit this whole authority "(the political direction of India) to commissioners "appointed by the Crown. In the Public Board, "so constituted by the wise and necessary interpo- "sition of Parliament, and continued with slight "variations by succeeding Acts, has ever since re- "sided a complete and effective superintendence "over every part of the political affairs of India. "That Government has still been exercised, indeed, "in the name of the Company, as the Company "also has used the name of the Asiatic powers "whose misrule it has superseded; but both the "control and the responsibility of all political "measures are vested by law in the public servants "of the State. The commerce and the patronage "of the Company are alone excepted, but on all "other matters which in any way concern the "public interests in India it is the office and the "duty of the King's Commissioners, at their dis- "cretion, to exercise a complete and unqualified "political control. It is their function to erase, to "add, to alter, and, in the default of the Directors, "to originate those instructions which by law the "public servants in India are bound implicitly to "obey."

These words seem to me to describe the state of things as it existed in 1813, precisely as it exists at present. The President of the Board of Control has succeeded to the authority here represented to reside in the Commissioners. I am now responsible to Parliament for the affairs of India. Every person who is acquainted with the course of public matters must know, that although the head of every department is answerable and responsible for the whole business of that department, yet that in great matters he would consult his colleagues in the Ministry; that in other matters his decision, as chief of his own department, would be sufficient; and that in minor matters, having confidence in the persons in his department and under his authority, he, upon their representation, issues the orders that may be necessary. But there is a difference between the orders so issued by the Secretary of State and those which may proceed from the Board of Control. Before any despatches are sanctioned by the Board of Control they must have been carefully sifted and investigated by a body of independent gentlemen, many of them intimately acquainted with the people of India, and most zealous and unremitting in the transaction of business, and so far there is greater security for the good government of India than of our Colonial possessions. It must be obvious also to every one that the mere power of originating despatches must of itself give no inconsiderable share of influence to that body. It is clear, that if I did not issue despatches except upon matters raised and communications made to me by any Hon. Member of this

House, he could not but exercise a very considerable influence in the decision, whatever that decision might ultimately be. Mr. Mill—than whom there could not be a more competent witness —said, before the Committee of the House of Lords,—

"I do not think the present system is fairly "described as a fiction, since it is acknowledged, "that not only the Board of Control but the "Cabinet, when of a different opinion, sometimes "think it right to defer to the opinion of the Court "of Directors; no doubt because they feel that the "Directors are more competent to form an opinion "than themselves."

On these two points then, I will only say, that there can be no question—first, as to where the responsibility to this House lies; and next, that the functions of the Court of Directors are not that absolute fiction which they are represented by some to be, but adopting again the words of Mr. Mill, that—"they have a full share, in the administration." The last imputation against the Home Government of India that I shall notice is, that in consequence of the numerous written communications which take place, and the divided residence of the two authorities—the Court of Directors and the Board of Control—Indian business is slowly transacted. I admit that the tendency of the mode of transacting business is to render it slow; but as to a large portion of Indian business despatch is not of the slightest importance. The principles upon which the Government of India is and ought to be conducted are laid down here,

but the Government of India is and ought to be administered in India. Good men ought to be carefully selected to carry out the views of the Executive. But then, when a proper selection of the instruments of government has been made, the more that is done in India the better; and the object of the examination here is to see that in the exercise of the power of the Governments of India in detail, those principles so laid down in this country have been observed. Orders for executive administration are seldom issued from hence. The greater part of the business consists in revising the acts of the Indian authorities, but that is not business which requires much despatch. Perhaps I should not be far wrong in saying that nine-tenths of the Indian business is to revise and to see whether the administration of India is carried on consistently with the principles laid down. There are cases, no doubt, and sometimes very difficult ones, when most important matters arise which require a more rapid transaction of business. In cases of that kind immediate and frequent communications take place between the Board of Control and what are called the "Chairs" of the East India Company. I am happy to take this opportunity of stating that my Hon. Friend the late Chairman, and the present Chairman and Deputy-Chairman of the East India Company have always been most ready and willing to meet me, and have afforded me every facility and assistance that I could possibly require. Whenever it was important to obtain an early decision they would ask to see me, or come to me at

once when I sent for them. A personal communication takes place without delay, and a despatch is sent out immediately. About a month ago I thought it desirable that the interest on the Five per Cent Loan should be reduced. The Finance Department reported a probable surplus of £500,000, after paying for the Burmese war. I thought this an opportunity not to be lost of diminishing the expenditure by making a reduction in the rate of interest. I spoke to the Chairs, they agreed with me, and in compliance with my wishes a despatch was prepared and submitted to me, and by the next mail the order went out to reduce the interest of the loan. In another case, when the electric telegraph was determined upon, all the arrangements were made in less than one month after the receipt of the despatch of the Governor-General, recommending that this step should be taken. With a mail to India once a-fortnight, and with personal communications such as I have described, there is not the least delay in anything that requires speed, and on this head of delay in transacting business there has been the greatest misrepresentation and misunderstanding. But one great defect in the constitution of the Court of Directors has been pointed out — namely, that, owing to the necessity of a protracted and expensive canvass, the best members of the Indian service are deterred from offering themselves as candidates for the situation of Directors of the East India Company. It is said that it is a bad mode of remunerating the services of the Board of Directors that they

should look only to the distribution of patronage for their reward. I do not think that the imputations which have been made on this latter point are fairly borne out. It has been said that the Indian army and service do not receive a fair proportion of the patronage. The evidence clearly shewed that the sons of Indian servants and officers have received a very large and sufficient share of appointments I think the Directors have taken great pains to preserve their patronage from being improperly applied, but I admit that there exists a general opinion that it is undesirable that the remuneration of the Board of Directors should consist in their patronage. I have now stated the principal objections that have been made to the present mode of conducting the Indian Government, and how far, in my opinion, those complaints are justified. But I still have to consider what it is desirable the Government of India should be for the future. The Hon. Member for Manchester said the other day at a meeting at Bristol on the subject of India that nothing could be satisfactory except a single Government by means of a Secretary of State. That also is the view of the gentlemen who have associated themselves together for the reform of the Indian Government. Now, we must consider what would be the effect of a change of this description. The proprietors of India stock and the Court of Directors will remain a body until 1874, and they will be entitled to receive the dividends upon their stock which are secured upon the territory of India, or to claim to be paid the amount of that stock. They claim to revive as a commer-

cial body, and to carry on their trade with the capital thus reimbursed. The Government, on the other hand, would assume the charge and government of India, and the obligations, liabilities, and debts of the East India Company, and I am not sure whether my Right Hon. Friend the Chancellor of the Exchequer would be pleased to have that debt added to his present obligations, because although it is true that it is secured on the Indian territory, yet it might be convenient that the same thing should be done for India which we have done for some of our Colonies, and that by giving the guarantee of the Government a lower rate of interest should be payable on the debt. This has, I see, been already suggested by a Noble Lord in another place, and though in the present state of things I should not think of preferring such a request to the Chancellor of the Exchequer, the case would be very different if India was administered as our other dependencies by the Government of this country, and in the name of the Crown. I do not believe that this is an insuperable objection, but it is one that requires to be carefully considered before we make any change.

With regard, however, to this vital question of the nature of the future Government of India we ought to look to the evidence that has been given before our Committees on this subject. The question whether we ought to have a single or a double Government for India has been mooted before both the Committee of the

House of Lords and the Committee of the House of Commons. There are three witnesses whose evidence has been said to be more or less in favour of the single Government. The evidence of the last witness examined upon this subject (Mr. Sullivan) is not yet in the hands of the Members of this House; but it ca hardly be said to be in favour of a single Government, because Mr. Sullivan leaves two bodies—one for patronage, and the other for the management of Indian affairs. However, as his evidence is not in the hands of Members, I will not enlarge upon it. The most important evidence on this subject is that of a Noble Lord (the Earl of Ellenborough) who has been himself President of the Board of Control and Governor-General of India, and I am bound to bear my testimony not only to his great acquaintance with Indian affairs, but to the singular ability with which he expresses his views on these subjects. I do not know that I shall be charged with having said more than I am justified in saying if I add that one cannot be surprised to find the Noble Lord approaching any consideration which affects the Court of Directors with some little bias. The Noble Lord recommends that the Government of India should be as follows:—That there should be a council of twelve, who should be originally named in the Act of Parliament; that one-sixth should go out every year, and that they should be replaced by persons who have filled high situations in India, and who should be nominated on the recommendation of the Governor-General and of the Governors of the Presidencies of India. The

Noble Lord proposes that the whole patronage should be vested in the Council, and that they should have a veto on the appointment of a Governor-General, but naturally enough the Noble Earl did not propose to give them the power of recalling him. He proposed that these Councillors should be quite independent of the Government, and irremovable for six years. I remember the time when the patronage of India was supposed to create a power in the State of no inconsiderable amount, and a body like that which the Noble Earl suggests, and the members of which would be practically irremoveable for six years, would constitute an exceedingly independent and powerful body. Therefore, although the Noble Lord's professed object is to get rid of the double Government, he does not do so in fact, and only proposes to transfer to the Council the power of the Directors, and to make them, as indeed he says himself in another answer, "the advisers of the Board of Control precisely as the Board of Directors now are." But the Noble Lord goes further, and says that his only object is to provide the President of the Board of Control with an able body of advisers. The Noble Lord states that he should not object to the continuance of the present system of choosing the Court of Directors if he were sure that it would be filled with men like the late Mr. C. Grant, Mr. Elphinstone, and Sir Richard Jenkins. The sole object, then, of the Noble Lord appears to be to obtain good advisers from Indian servants for the Board of Control, and therefore in whatever manner

this may be effected, his object would be accomplished; but when he leaves this second body as powerful and independent as he proposes it should be, and acting in regard to the Board of Control much as the Directors now do, this, after all, seems to me to be only a double Government under another name. The Noble Earl says, that when he wanted advice about Nagpoor, he went not to the Court of Directors, but to Sir R. Jenkins, one of the Directors, who had been Resident at Nagpoor, and that, fortified by his opinion, he was perfectly indifferent to the opinion of the Court. I quite concur in the propriety of the course adopted by the Noble Lord of consulting the person who was the best able to give him advice and information upon the subject then under his consideration. I should have thought it right, however, even if I had consulted Sir R. Jenkins, to consult the Directors also, and I should not have thought myself justified in treating the Court of Directors quite so cavalierly as the Noble Earl said that he was prepared to do. The next gentleman examined, whose opinion is said to be in favour of the single Government, and who, as regards all matters in India, gave most valuable evidence, was Mr. Halliday, late Secretary to the Government of India at Calcutta; but when Mr. Halliday was examined on the English part of the question, he stated that he was not so well acquainted with the Government in this country that he could give his opinion without very great diffidence. Well, but what was Mr. Halliday's

opinion, which was said to be a decided opinion in favour of a single Government? His view was in favour of the appointment of a body of twenty-four gentlemen, elected as at present, or perhaps as vacancies occurred, allowing a portion to be nominated—say one-third or one-fourth as the case might be—by the Directors themselves. This body would form a Council for India, perfectly independent of the Government, exercising the patronage as at present, and is to discuss all important matters connected with India with the President of the Board of Control, that he might have the advantage of hearing their discussions and weighing their arguments. I believe that most matters are carried on in India under the single responsibility either of the Governors or of other officers who manage the affairs of their districts, without consulting any person; and perhaps one ought not to be surprised at such an opinion from a man who has had little experience in Committees or Councils of many persons. But gentlemen who are conversant with the deliberations of Committees in the House of Commons, and those who are acquainted with the proceedings of Cabinet Councils, can imagine what would be the result of a Council of such numbers meeting to discuss with the President of the Board of Control or in his presence all important Indian questions, or as Mr. Halliday says, for the complete carrying out of his scheme—*all* Indian questions. Now I must observe that Mr. Halliday proposes to give to the President of the Board of Control the absolute

power of deciding as he pleases, whether he agrees with his Council or not. Does anybody practically acquainted with such matters suppose for a moment that such a system could be worked? Does any body suppose that the business of a heavy department could be carried on with an executive Council of twenty-four members? Even if the President and his Council generally agreed, their numbers would be a practical hindrance to all business, from the variety of opinion, at any rate upon numerous matters of detail, which must necessarily exist amongst so many gentlemen. But suppose that the President in three or four cases overruled his Council, and that an irritated and sore feeling was thus excited, how would the business be carried on? If the President of the Board of Control was bound to attend their deliberations, the time would probably be wasted in endless bickerings and disputes, quite enough to interrupt the progress of all business; and if he was at liberty to absent himself, he would of course relieve himself from so unpleasant a position as this would inevitably be, by deciding all questions, as he would have a right to do, without reference to his Council, and they would become utterly useless. But in any case to talk of this as a single Government is an abuse of words. And Mr. Halliday, when he was asked whether he was favourable to a single Government for India, on a question put to him, at his own request, by the Chairman of the Committee, that he might remove any misapprehension as to his meaning, said that

he only aimed at improving what he understood to be the present mode of transacting business, without introducing organic changes, which in his opinion were not desirable. He said that he would "reform existing institutions only as far as they needed reform, and would keep them otherwise in all their integrity; that the system of double Government and election by the Court of Proprietors had undoubtedly, whatever defects may be attributed to it, the good effect of keeping out mere party differences and discussions from the Government of India, and that good he would on no account do away with."

But Mr. Halliday, beyond his own opinion, and I have quoted his own words, gives very strong and very important evidence on this subject of single Government. He sees clearly enough that none of these proposals do in fact amount to single Government. He sees clearly enough, and I agree with him, what a single Government ought to be, if we are to have it at all, and he says with this view:—

"The plain straightforward course would be decidedly to have the Government and the Council nominated altogether by the Crown; but whenever I have spoken of that with well-informed persons I have been informed, in a manner that I could not possibly resist with my want of experience, that such a measure was totally out of the question; that it was quite impossible; and therefore, driven from that, I fall back upon what appears to me to be the more practicable suggestion, which I have made in the course of my evidence to-day."

The witness states distinctly what he thinks would really establish a single Government, and he says he has been told by every well-informed person with whom he has spoken on the subject; that such a measure is totally out of the question. Surely after this statement of his evidence, he can hardly be represented as a witness who has practically advocated the establishment of a system of single Government. Now, these are the witnesses whose evidence is supposed to be in favour of a single mode of Government. I am aware that we have in this House advocates of that form of government, and I have no doubt that we shall hear from the Hon. Member for Manchester and others able and powerful arguments in favour of such a scheme, but, certainly, they cannot claim in support of their views the evidence of those gentlemen to whom I have just referred. But we have, on the other hand, the very remarkable evidence of a person well known to this House, and well known to the world as one of the ablest writers of the day on subjects connected with questions of Government, of taxation, and of political economy. I do not myself agree with him in some of his views on the latter subjects, but I have always borne willing testimony to his ability—I mean Mr. John Mill. No doubt it may be objected to Mr. Mill, that he is open to the suspicion of having a bias in favour of the East India Company, in whose service he is. But, on the other hand, from his intimate acquaintance with the mode of transacting business in connexion with the affairs of India, which is greater, perhaps, than

that of almost any man in this House or the country, he has better means than most men of forming an opinion, and his evidence, therefore, is of the greatest weight, and I will say from what I know of him, and from the high character which he holds in the country, that I do not believe Mr. Mill is one who would express an opinion which he does not honestly entertain. I think, therefore, that the opinion—and it is not an opinion that is not accompanied by the reasons on which it is grounded—which he has given in his evidence is entitled to no inconsiderable authority. Though, therefore, his answers are rather longer than I should wish to read, yet they are so well put by him, and are so much to the purpose, that I should be sorry to diminish the effect of them by not giving his own words. Let me, before quoting this evidence, observe that it is obvious, if the Government is to be vested in a Secretary of State, that such Secretary of State must be responsible to Parliament, and to Parliament alone—that, in short, it is only to Parliament that the whole Government of India must be responsible for the good administration of the affairs of that country. On this subject Mr. Mill says—

"No one will deny that it is necessary that Par-
"liament should be open to appeals on all subjects
"connected with the government of any part of
"the British empire; but, so far as my opinion
"goes, I should say that the security for the good
"government of India derived from discussions in
"Parliament is far short of that derived from the
"habitual examination of all papers of any im-

" portance by persons especially devoted to that " object." He is then asked what would in his opinion be the result of more frequent Parliamentary interference, and he answers;—" I think " that many bad and few good consequences would " result. The public opinion of one country is " scarcely any security for the good government of " another. The people of one country, whether " represented by the public authorities of this " country or by the nation itself, cannot have the " same acquaintance with the circumstances and " interests of the other country as they may have " with their own. The great security for the good " government of any country is an enlightened " public opinion; but an enlightened public opinion " is no security for good government. The people " of England are unacquainted, or very ill ac- " quainted with the people and the circumstances " of India, and feel so little interest in them, that " I apprehend the influence of public opinion " in this country on the government of India is " of very little value, because there are very " few cases in which public opinion is called into " exercise, and when it is so, it is usually from " impulses derived from the interests of Europeans " connected with India, rather than from the " interests of the people of India itself."

He was asked with regard to the effect of this kind of government generally, and he says:—" There " would be two great inconveniences. In ordinary " cases there would be apathy and indifference on the " part of Parliament and the public; the Secretary

" of State for India would be able to do exactly " as he liked, and to omit any part of his duty if " he were too indolent or too ignorant to perform " it; but whenever it did happen that interest was " excited in Indian questions, they would become " party questions; and India would be made a " subject for discussions of which the real object " would be to effect a change in the administration " of the government of England." The objection, therefore, which Mr. Mill takes to the government of a single Secretary of State is—first, that it would introduce party considerations into the administration of India; and, secondly, that in the present state of information with regard to India, the experience of persons whose lives have been devoted to Indian subjects is a better security for good government than the sole check to be exercised by the House of Commons, reserving, of course, to the House of Commons that necessary interference on important matters which upon all questions it undoubtedly ought to exercise. Now, it is a remarkable circumstance in connexion with this question, that since the celebrated bill which decided the fate of Mr. Fox's administration, party politics have seldom or ever entered into the consideration of Indian affairs. Party questions with reference to India are almost totally unknown either in the other House of Parliament or here, and I do not hesitate to say that it would be a source of imminent danger to India if its affairs were again made the objects of party warfare. I have been in Parliament long enough to see that in colonial matters questions

have occurred in which the interests of a colony have been neglected in the contests of party politics of this House. But we must not shut our eyes to the circumstance that the case of India is in no respect similar to that of the colonies. In all the colonies belonging to this country there is a large portion of British subjects well acquainted with the principles of representative government; and even if the worst were to occur—if, which God forbid, any of our colonies were to be separated from the mother country,—though I do not see why the connexion, founded on mutual benefit, should not last for a period much longer than we can any of us look forward to,—but even if a separation were to take place, there is hardly one of our colonies which would not be able with more or less success to govern itself. But if a revolution of that kind was to take place in India, will any one say that consequences must not ensue at which humanity would shudder? There is, in truth, no similarity between the probable consequences in the one case and in the other, and therefore it is of the utmost importance not to allow party politics to interfere with the government of that great dependency. There are very few gentlemen in this House who have been in India, and I believe that even residence in one part of India is by no means sufficient to enable a person to form a competent opinion with regard to other parts of India. I have heard an Hon. Friend who sits behind me, and who knows India better than most men, state that what he has learned was not learned from a residence of many

years at Calcutta, but has been learned almost entirely from constant and unremitting attention to his duties as a Director at the India House. I believe that those who have been long connected with the India House have a better knowledge of Indian affairs than any of us possess, and therefore I think there is much truth in the opinion of Mr. Mill, that it is a great security for good government that all the details of the Indian administration should be subjected to the careful revision and careful examination of people who have devoted their lives to the study of Indian matters, and that they should be looked over by those who have spent a portion of their time in India, who, collectively have a greater knowledge of the subject, than we possess in the House of Commons, and whose opinion, therefore, should have the greatest weight. In reference to the very principle on which the double Government is founded, Mr. Mill says :—"That all Indian "proceedings are reviewed by two separate bodies "independent of one another is a much greater "security for good government than would exist "under a system by which those two bodies were "merged into one. The double revision by persons "of a different class, in a different position, and pro- "bably with different prepossessions, tends greatly "to promote a close and rigid examination." Again, —"If you have a body unconnected with the general "Government of the country, and containing many "persons who have made that department of public "affairs the business of their lives, as is the case "with the Court of Directors, there is much better

" discussion and much better sifting of the matters " committed to their charge by having such a body " in addition to the Minister of the Crown, than by " having the Minister of the Crown without such " a body, or the Minister of the Crown acting as " chairman of the body." And he concludes his evidence upon this question by a distinct opinion that any change from a system like the present " would necessarily be a change for the worse."

I will now refer to the opinion of a Noble Lord who himself was a Cabinet Minister in this country, and subsequently Governor-General of India—I mean Lord Hardinge—and I may say that no one is better able to give a sound opinion than Lord Hardinge. He was a Cabinet Minister at the time of the differences between the Government of this country and the Court of Directors, when Lord Ellenborough was recalled; as Governor-General, he became well acquainted with the administration of affairs in India, and he now stands in a position perfectly independent, both of the Government and of the Directors, and is able therefore to express an unbiassed and impartial opinion. His opinion was expressed as follows:— "I think the system of double government " is much wiser than bringing the Crown more pro- " minently forward. I think the present plan is " the best. For two members elected by the Court " of Proprietors, one Director might be put in by " the Court itself taken from the Indian service, " who had been a member of Council, or who had " gained a high reputation for his service in India. " I do not think it would be advantageous to have

"the Court of Directors filled with men who had "served in India; there ought to be in the Court "such a fusion of European feelings and talent, as "well as Indian feelings and talent, as would not "make it too Indian. A body of persons solely "impressed with Indian views would not admi- "nister the government of India so well as the "present Court of Directors."

But these opinions are not confined to persons only who are resident in England. I will quote the opinion of another of our witnesses on this subject, and that is the opinion of Mr. Marshman, a gentleman long resident in India, to whom I have before referred, unconnected with the Government, perfectly independent, well acquainted with the feelings of the people of India, and he says:—

"I think that a change, such as the transfer of "the whole of the Government of India from the "Court of Directors to the Crown, would be much "too violent and sudden, and would tend very "much to embarrass so vast a machine as that of "the Government of India; and I think it would "be more advisable to prepare for the change "which must take place by gradually remodelling "the Government. It might be possible to pre- "pare for the great change by the nomination of a "certain proportion of the Directors, so that the "public would have an opportunity of seeing im- "mediately how the newly-modelled machine "worked. One-fourth or even one-third of the "Directors might be appointed by direct nomina-

"tion from among those who have had long Indian "experience."

I will only refer, in one word, to the evidence of Sir C. Trevelyan, himself an old Indian servant, and well acquainted with the affairs of that country as well as with the machinery of Government at home. He states most decidedly that, in his opinion, "an improved Court of Directors, together "with a Board of Control, is the best form of "Government for India."

I have now stated all the evidence that has been given on this subject, I must say not only that the preponderance of evidence is in favour of maintaining and improving the present form of Government, but there is no evidence which, carefully examined and tested, supports the views of those who advocate the Government of India by a Secretary of State.

It is obvious that one of the objections stated by Mr. Mill—viz. the want of information in this country on Indian subjects, is one that, with increased communication between this country and India, may be expected to diminish from day to day. Mr. Marshman expresses his surprise at the interest which on his arrival he found the affairs of India have excited in this country, and I may be allowed to express the hope that it is a subject which will excite a still larger and more constant share of the attention of this House and of the country. If, too, by the improvement and education of the natives of India, we can establish a race and a class of men such as Mr. Mill describes as afford-

ing the best security for good government, then a great point will be gained for the Government of India; but clearly that time is not come as yet. The opinion of such men will have great weight in India, and will be of great service in aiding the formation of sound public opinion in this country on Indian affairs. The time which is passing over our heads, the more ready communication with India, which is increasing so rapidly from day to day, will diffuse a knowledge of the affairs of India much more generally among the Members of this House, and render them more and more able to discuss with advantage the affairs of that country. I am most anxious to forward this object, before the attainment of which the too frequent interference of the House might lead to evil rather than good. I find that notice has been given of a motion by an Hon. Friend of mine to-night upon a subject on which it was my intention to have made an announcement to the House on the part of the Government, viz. that the President of the Board of Control will make an annual statement of the finances of India to the House. This used in former years to be the practice, but it has been discontinued for a long time, for no other reason, I believe, than because at that time no attention whatever was paid to the subject, and when the Minister rose from his seat to give his account of Indian affairs the other Members of the House walked out of it.

The question then for the Government to decide is, whether it shall continue the Govern-

ment of India as it is—whether it shall assume the Government of India to itself—or whether it shall maintain the present form of Government, but improve its constitution. I think with the defects that have been stated in the constitution of the Court of Directors, it is impossible to leave the Government of India as it is. If, on the other hand, the Government had been anxious to grasp at power; if I had wished to place myself in a position the most powerful, I think, that any minister could hold, possessing the undivided sway over our Indian empire—a prize well worthy of any man's ambition—and had obtained to this course the consent of my colleagues, we might, I have no doubt, have persuaded the House to make that change in the form of Government for India.

But we do not think it would be for the advantage of India that this course should be adopted. We think it far wiser and safer to maintain the present form of Government, and to improve its constitution in such a manner that while it will be rendered a more fitting instrument for the good administration of Indian affairs, the change which we propose will in some respects render it more easy to do at a future time what circumstances or an extension of the information on the subject of India may render fitting, viz. to assume the Government of India in the name and under the power of the Crown. I will not, on the present occasion, occupy the time of the House by any further arguments in support of this course. I will only say that I agree generally in the views which have been

so well expressed by Mr. John Mill, and that they are supported by the authority of those whose knowledge and situation enables them to exercise a sound and independent judgment on the question. What we propose to do is—leaving the relations of the Board of Control and Board of Directors as they stand—leaving the responsibilities of this House and of the Minister who holds the situation which I now have the honour to fill as they now are—to improve the constitution of the Court of Directors, limiting their patronage, and imposing some check on the higher appointments made by them in India.

The Court of Directors consists of thirty members, but twenty-four only sit at one time, whilst six are always out by rotation; and though the Directors are subject to an election every four years, they are practically elected for life.

We propose to reduce the elective members to twelve, and to add to them six to be appointed by the Crown from persons who have served ten years in India. Six of the elected Directors must also have served in India for the like period. That will make a Court of Directors consisting of eighteen persons. It was suggested that the Court themselves should select one-third of the number; but it appeared to us that the Directors so chosen by a majority of the persons amongst whom they are to sit would be placed in a position dependent upon those by whom they were appointed, and we thought it better that they should be nominated on the responsibility of the Crown, and named from

persons who had been at least ten years in the service of the Crown or the East India Company in India. The appointment in this manner will obviate the objection that the best of the Indian servants do not always obtain a seat in the Court of Directors. It has been shewn beyond doubt that many of those most competent to take a part in the Government of India—coming home from thence, and fully able in this country to take an active and useful part in the administration of its affairs—are deterred by the canvass from trying to obtain a seat in the Court of Directors—and we believe we shall improve the efficiency of the Court by placing in it, without the necessity of going through a canvass, persons of that description. The Government can have no object but that of placing the most efficient men in this situation; and in consequence of their selection being confined to Indian servants, any nomination for party purposes, or from party considerations, is, as far as possible, effectually guarded against. We propose that one-third of this number should vacate every second year, but be eligible or be capable of being nominated again without the interval of a year. Great inconvenience is now experienced by the intervening year, when Directors are out by rotation, and if they are fit to be in the Court at all there is no reason why that interval should exist in their service. With regard to the elected members, we do not propose to make any change in the nature of the constituency by whom they are elected. We do

not propose, as was suggested by some, to add the holders of the securities of the East India debt, because in that case people residing in India must be included, who, if they vote at all, can only do so by proxy. Neither shall we add, as has also been suggested, all those who have served in India, because the retired officers of the Indian army are so numerous in comparison with all other persons retired from the Company's service, that, as stated in Mr. Campbell's book, if we did adopt this course we should throw the whole election into the hands of the Indian officers, and should not, therefore, give that fair share of influence to other parties to which they are entitled. I do not think, from all I can gather upon the subject, that any great advantage could be derived from increasing the number of the persons entitled to vote in the election of Directors, and I propose, therefore, to make no alteration in that respect.

We do not contemplate to effect the whole of this change at once. We propose in the first instance—that is, on the expiration of the Charter in April next, that the present thirty Directors should select fifteen of their number, and that the Crown should select three persons who have served ten years in India. These will make the eighteen, who will be the first Directors of the East India Company under the new arrangement. Then the first three vacancies that occur in the elected Directors will be filled up by the nomination of the Crown until the full number of six members so named is completed. That once done, all future vacancies in the elected

Directors will be filled by election, and all future vacancies in the nominated members will be supplied by nomination, so as to maintain permanently twelve elected and six nominated members. We propose that every Director should serve for a period of six years; one-third of the Court, both of those elected and those nominated, going out every second year, but being capable of re-election or re-nomination, as the case may be. All the persons to be nominated by the Crown, and six of the elected Directors, must have served either the Company or the Crown ten years in India.

Mr. Disraeli.—Can they be nominated out of the thirty Directors that now exist?

Sir C. Wood.—It will be no disqualification of any person that he is in the Court of Directors, if he have the other qualifications that we require; but merely being a Director is to be no qualification, unless he has served the ten years in India, which we deem the necessary qualification. We believe that this change will effect a great improvement in the Court of Directors. It will be, of course, to the interest of the Crown to name the best Indian servants that can be found; and we shall thus introduce at least six most competent persons of large Indian knowledge and experience. In proposing, however, this form of Government, which, in present circumstances, we believe to be the best that can be devised for India, we do not think it fair to tie up the hands of Parliament so as to prevent its making any change that may, in the course even of a short experience, appear desirable.

The times change; and in these days no man can say how soon the necessity for alterations may arise. If the form of government as we propose it answers its purpose, and governs India well, there may be no need of change for years: if it fails, the change is rendered easy at any time. We do not propose, therefore, to fetter the power of Parliament for any period whatever, but that this government shall last until Parliament shall otherwise provide. While we believe that this alteration in the mode of constituting the Court, will materially improve the present government of India, still, if experience should prove that this form of government does not answer our expectations, or if it should be thought right by Parliament at any future period to adopt, on the part of the Crown, the exclusive government of India, it will be open to Parliament whenever it may think fit to make that change. And as it is the opinion of every man who is at all acquainted with the subject, that the government of India could not be carried on without the assistance of a Council, the nucleus for that Council is to be found in the Directors named by the Crown.

We make some slight alteration in the salaries of the Directors. At present every Director receives £300 a-year, and the Chairman and Deputy Chairman, I think, £500 a-year. Limiting the patronage in the manner that we propose to do, we think it fair somewhat to increase those salaries. As their numbers also will be reduced, and it will be necessary for them to reside more generally in town, we propose that the Directors

should receive £500 a-year, and that the Chairman and Deputy Chairman, upon whom a large amount of work will be thrown, should receive £1000 a-year. The power, privileges, and qualifications of all the Directors are to be alike.

I now come to the limitations of the exercise of patronage by the Directors. At present, the House is aware that all the appointments to the civil service in India, to the College at Addiscombe for the engineers and artillery, to the army, to assistant-surgeonships, and, in fact, all the appointments to India are made by the Court of Directors. Practically, they are divided among the several Directors, and a certain portion by courtesy is allowed to the President of the Board of Control. The number of vacancies is determined by the demand from India. The Governor-General reports how many persons are likely to be wanted in the course of each year, and the admissions to Haileybury and Addiscombe, and to the army, are regulated by that demand. I have already stated the objections which have been said to exist to the use of the Directors' patronage, but when we look at the persons whom the Indian service has produced, I think there can be no great fault to find. Several of the most distinguished men in the employment of the Crown have been taken from the Indian service. It would be invidious for me to mention names, but distinguished names there are in abundance; and it is a remarkable feature in the Government of India, as stated by Mr. Mill, that it is carried on chiefly by what are called the middle classes, as distinguished from the aristocracy.

Mr. Mill was asked by some member of the Committee in the House of Lords, if he thought it a fitting thing that the son of a horsedealer should be sent out to India; and he very properly answered, that if he were fitted for the situation, he did not see why he should not go as well as anybody else. I quite agree with Mr. Mill. Lord Ellenborough stated his wish that a greater number of the aristocracy should be introduced into the Indian service. I see no objection to that proposition; I should be glad to see members of the aristocracy taking their share in the Indian service: but they must be introduced into it by merit, and not by patronage. With regard, then, to appointments to Haileybury, we propose altogether to do away with nomination—that no person should be admitted by favour to the civil service of India. We propose that, under such regulations as may be framed by the Board of Control, subject to the approval of Parliament, the admission to Haileybury shall be thrown open to unlimited competition. If the aristocracy are able by their merits to introduce themselves to the Indian service I shall be exceedingly glad. If the son of a horsedealer can introduce himself in that way, I wish to see him also in that service. But there is to be no exclusion, and no favour. Merit, and merit alone, is to be the door of introduction to the civil service of India. We propose to take a similar course with regard to the scientific branch of the Indian army. That is to say, that the admission to the College of Addiscombe shall in like manner be thrown open to competition. The same course

we propose to take, also, with regard to the appointment of assistant-surgeons. These are the three branches of the civil and military service, which are of a scientific character, and to which the test of an examination can be applied. Various modes have been suggested in which this rule for admission should be framed; some persons have proposed that a certain number of admissions should be reserved for competition among the sons of Indian officers; and other schemes of different kinds have been suggested. I do not wish to bind myself as to the details of this or of any other plan, but what I mean is, that whatever mode of accomplishing the end, may be ultimately determined upon, admission shall be by open competition, and not by favour or nomination. This is, I admit, a great experiment, and by many able persons doubts have been expressed as to its success. This, at least, will be secured,—the experiment will be tried in the face of this House and of the country, in whose power it will be to reverse it if it should be found to fail. For myself, I fully believe that it will succeed. There are no doubt, many very necessary qualifications for employment in such important situations as those in India are, which cannot be tested by any examination. Nevertheless, those qualifications which are so requisite more often than otherwise accompany intellectual acquirements. We shall have at least as good a chance as we have now of obtaining those other qualifications in the candidates, and we shall secure intellectual superiority; and I believe we shall find that by these means we

shall raise still higher the character both of the civil and military services, and obtain for the benefit of India such a service as the world has never yet seen. At any rate a field of employment will be opened to the people of this country such as never has yet been unreservedly open to merit and competition.

With regard to what are called the direct appointments to the army, I do not think that they are fit subjects for competition. Most of the qualities required in a soldier are of a very different character from what may be termed book learning, and I do not know how to apply any test to ascertain the existence of such qualities in a youth as may in maturer age render him a good soldier or great commander. The cadets will be subject to examinations of the same nature as those required of officers in the British army, which are as high as those of the best continental armies, and these appointments will continue in the hands of the Directors. The other point in which we interfere with the power of the Directors is that we subject to the approbation of the Crown their appointment of the members of Council in all the Presidencies in India.

I think that I have mentioned the material changes which we propose in the Government at home; and I will now advert to the changes which we propose in the Government in India.

I need not trouble the House with any lengthened remarks upon the subject of the position of the Governor-General, because according to the concurrent testimony of all the witnesses there is not

much change required. Lord Dalhousie is of opinion that no change is necessary. The questions that have arisen on more than one occasion as to the relative powers of the Governor-General and his Council have been settled by the opinions of the law officers here and the orders which have been sent from the Court of Directors, and it seems quite unnecessary to make any change in this respect. The only alteration in the position of the Governor-General which we propose to make is this. It appears from the whole of the evidence, that, entrusted as he is both with the government of India and the government of Bengal, he has more duties to attend to than he can fairly discharge. We propose, therefore, to relieve him of the administration of the province of Bengal. But we do not propose that any change should be made in the general control which he exercises over the whole of the Indian Government. Complaints have been made by some witnesses on behalf of the other Presidencies, of the unnecessary check on useful expenditure which they say is imposed upon them by the Governor-General. But this does not appear to be borne out by the facts. If the Governor-General was likely unfairly to favour one Presidency more than another, it would naturally be the one under his own immediate superintendence—that of Bengal. But the very reverse is the fact. It seems from a return which was prepared of the comparative expenditure for public works (and this was the question as to which the complaints were made) that the greatest expenditure for this purpose was in the North-

western Provinces, the next in Madras, the next in Bombay, and the least of all in Bengal. I do not think, however, that under any circumstances this is a matter for legislation, but is clearly a matter of discretion, which must be left to the Government in India to settle. Perhaps the existing limit on the expenditure to be incurred by the governors of the minor Presidencies might be somewhat extended; but it should not be forgotten that the wasteful expenditure of these Presidencies before the act of 1833 was one of the main reasons stated by Lord Glenelg for the change in the Government of India, rendering absolutely necessary the control on the part of the Supreme Government.

Another point has been raised as to the absence of the Governor-General from Calcutta without his Council. That again, I think, is a matter for discretion, and not for legislation. There are cases where it is desirable that the Governor-General should leave Calcutta. When Lord Hardinge, for example, went up with the army, it was clearly for the benefit of India that he should do so; and when Lord Dalhousie went up to the Punjaub, it was also clearly for the interest of India that he should be there and not at Calcutta, and there can be no doubt that his presence on the spot contributed essentially to the speedy and successful settlement of those districts. When the Governor-General goes away from Calcutta on such occasions, he generally takes with him, as it is called, the political and military powers, which enable him to direct the political movements in India, but he leaves with

his Council at Calcutta all the powers necessary for conducting the general administration of India. This portion of the duty of the Supreme Government they are perfectly competent to perform, and the inconvenience and interruption to business is avoided, which would inevitably result from moving the Council and all its attendant functionaries from the permanent seat of Government at Calcutta. No doubt it is desirable that the Governor-General should be as much at Calcutta as possible, but this is a matter, as I before said, which must be left to the discretion of the Governor-General and Council, for no fixed regulations can be laid down which might not subject both the Governor-General and the Empire to considerable inconvenience.

With regard to the Executive Council, we propose no change except that the members shall be named by the Court of Directors, with the check of the approbation of the Crown; and that the fourth ordinary member, or the "legislative councillor," as he is called, shall sit and vote upon all subjects brought under the consideration of the Council.

The evidence is uniformly in favour of the establishment of a permanent Lieutenant-Governor in Bengal. The interests of the Presidency are stated in many cases to have suffered from the want of a permanent officer superintending the various matters connected with its administration, and as it is desirable to relieve the Governor-General of the labour of this duty, and will clearly be to the advantage of the district, we propose that power should be taken to appoint a Lieutenant-Governor

of Bengal. The evidence is, I think, in favour of maintaining the other Presidencies as they are at present. I think there is considerable advantage in sending out to these governments statesmen from England. The position of the Governors there is very different from that of the Lieutenant-Governor in the Upper Provinces. There is a large European population both at Bombay and Madras, a separate civil service, distinct armies, separate courts of judicature, and it is essential, I think, that the Governors in these places should be in a somewhat higher position than that of a Lieutenant-Governor, and therefore we propose to leave these Presidencies with their Governors and their Councils as they stand, the appointment of Governor being open as now, either to Indian servants or to statesmen from this country. Lord W. Bentinck, one of the best of our Governors-General, had the advantage of having been at an earlier period Governor of Madras. We propose to continue the present power of having a Governor, or a Lieutenant-Governor in the North-western Provinces; and we propose also to take power of creating, if it should hereafter be found desirable, a new Presidency or Lieutenant-Governorship in India; and power also to regulate and alter from time to time the boundaries and limits of the respective Presidencies or Lieutenant-Governorships. In taking this power, I am looking, of course, to the large districts of the Punjaub and the Provinces on the Indus, which have been added to our territories since 1833; but I wish

to leave it open to the Government to make any arrangement of the Provinces which may, after full consideration, be found most convenient for their due administration. I believe that this is all I need say about the Executive Government of India, except that the evidence, as far as it has been taken, is, that it would not be desirable to place natives in the Council.

I come now to matters of legislation and legal reforms. With respect to the Law Commission appointed in 1833, I have stated that no practical result followed from their labours, and that there are great defects in the law of India as it now stands. We think it very desirable that the mass of reports and partly framed acts which remain of the labours of that Commission should be put into a shape to be practically useful. We have the advantage of having in this country three or four gentlemen who took an active part in that Commission; and we propose, in the first place, from those gentlemen and two or three members of the English bar, with other gentlemen who have kindly volunteered their services, to appoint a temporary Commission, whose labours shall be limited to two, or at most to three years, to digest and put into shape the reports and drafts which have emanated from that Commission. Of course I do not propose to invest them with any legislative power. The legislation of India must take place in India, and for that purpose we propose to improve and to enlarge the Legislative Council. We think, however, that the greatest advantage will be derived from having this mass of

matter properly digested here by competent persons, put into the form of draft acts, and then sent out to be finally considered and passed by a competent Legislative Council in India.

Upon the manner of improving the Legislative Council the witnesses are unanimous. We propose to constitute a Legislative Council in this manner:— The Governor of each of the Presidencies, or the Lieutenant-Governor of each of the Lieutenant-Governorships, will select one member of the civil service of his own district. These gentlemen, and also the Chief Justice and one of the Judges of the Supreme Court, or of the Court which, as I shall by and bye explain, we propose to constitute, to be chosen by the Governor-General, will be members of the Legislative Council. These persons, in addition to the Executive Council as it is now constituted, will make a body of twelve, which we think will be sufficient for the purposes of legislation; but we propose to take a power of adding two Civil servants, to be selected from all India by the Governor-General, if it should be found desirable. It was stated by Lord Ellenborough in his evidence that great inconvenience frequently arose in consequence of there being no member of the Legislative Council at Calcutta who knew anything of the manners and customs of other parts of India. This inconvenience will be removed by the selection of members from the other Presidencies; and although it is not proposed that these members shall have seats in the Executive Council, there will be this further advantage, that they will

supply information to the Governor-General and his Council in their executive capacity as to all matters connected with those parts of the country from which they come. The members of the Civil Service will bring with them that intimate acquaintance with the manners and customs of the people of India which is so requisite towards promoting sound legislation. There will also be the advantage of having in the Council three persons of legal education from England, two of the Judges of the Supreme, or other Superior Court, and the Legislative Councillor. I hope that the result of this will be to introduce that improved spirit of legislation with which it is probable all those going from this country to India will be thoroughly imbued; and with this admixture of English legal knowledge and skill, and of the intimate acquaintance possessed by the Indian civil servants of the customs and manners and wants of the different parts of India, we trust that a Legislative body will be constructed fully equal to the discharge of its high and important duties. We propose to give the Governor-General a veto on their legislation, which he possesses indeed now when absent from his Council, but not when present.

I come now to another subject of great importance. I mean the improvement which we propose in the administration of justice in India. We propose, in the first place, a considerable change in the course of education at Haileybury, and in the examination to which the students are subjected before they proceed to India. At

present there is an examination by independent examiners on the admission of the student to Haileybury; but, with regard to persons leaving the college, for the purpose of proceeding to take up appointments in India, the examinations are conducted only by the Professors of the College. A great deal of time, it is believed, is needlessly occupied at that institution in the study of the Oriental languages, which it would appear, from all the evidence taken before the Committee, could be much more easily and speedily acquired in India. It is obvious that the time devoted to the acquisition of those languages is necessarily taken away from subjects which we believe to be of far greater importance for the education of persons intended for the civil service. We propose that the examinations at the entrance of students at Haileybury shall be such as to establish that, wherever they have been educated—whether at London, Dublin, or Edinburgh—they have received a good education such as is to be acquired wherever they may have been, and that they have shewn themselves capable of profiting by it. We propose, also, that there should be a considerable addition made to the legal education at present given at Haileybury. It was recommended by some of the witnesses that there should be a distinction made at the outset between the legal, and what I may call the revenue branch of the civil service, and that the education and career of the persons serving in the two branches should be altogether distinct. One witness, indeed, proposed that the Judges of India should be chosen

at once from the English bar; but all the other witnesses of Indian experience were unanimous in their opinion that this was impracticable. It clearly appears, from the evidence of the most competent witnesses that there is great advantage gained towards rendering a judge competent to perform his judicial functions, by his having commenced his service in the collector's department. He is there enabled to acquire that knowledge of the manners, and habits, and dispositions of the people of India, without which he would be unable adequately to discharge his duty as a judge. Indeed, the fact is, that no inconsiderable part of the duties even of a collector are of a judicial character. Most of the suits connected with land, for instance, are decided by the collectors, and they also exercise large magisterial functions. We propose, then, that at Haileybury the students shall all receive a sound legal education—I do not mean in the mere technicalities of the profession, but in the principles of jurisprudence—which will enable them to administer any law, whether English, Mahomedan, or Hindoo,—in the principles of the law of evidence, and in the more general branches of legal knowledge. We propose that an improved education of this kind should be conferred upon every person going to Haileybury. I am in hopes that the present term of two years will be found sufficient for this purpose—at least, such is the opinion of the heads of the college; but if upon experience that period should be found to be too short, it will be extended, so that no person going thence out to India shall

go without having had a thorough legal education. We propose to insure the utmost fairness in all the examinations--and that the examinations on coming out of Haileybury, as well as on going in, should be conducted by independent examiners. I do not mean to say that any undue favour has hitherto been shewn in the examinations on coming out of the College; but, at the same time, I think it far better that the examinations should be conducted by independent examiners rather than by members of the College. I may mention that there is at present a most severe examination of the civil servants in Bengal before they are appointed to important situations. This examination has only been recently introduced, and is of a very stringent character, as the following statement will show:—

"After this apprenticeship of several years, the "assistant to a collector and magistrate is regarded "as a candidate for promotion. He is then sub-"jected to a further examination, with the view of "testing his knowledge of the languages and the "laws of the country, and his promotion is made "dependent on the success with which he passes "the test. Of 20 civilians who came up in 1852, "seven only were passed. A successful candidate "is then deemed qualified for the office of collector "or magistrate."

I hope that the result of these examinations will be, that all future members of the civil and judicial services will be found duly qualified for the execution of their duties. We propose that, after a time, they shall be obliged to select which branch they

will follow; and that, if they select the judicial branch, they shall not afterwards be removed into the collector's department. We propose, also, an improvement in the constitution of the Superior Courts of India. At present there is the Queen's Court in each of the Presidency towns for the administration of justice to the English inhabitants; and there is also the highest of the Company's courts composed of Company's judges, selected from the civil service, called the "Sudder Adawlut," being substantially the same court for civil and criminal justice, under different names. We propose to consolidate these two Courts. We believe that the constitution of both will be improved by this amalgamation; we believe that the addition of the Queen's Judges will introduce the improved law and knowledge which they carry from this country into the Company's Courts, and that the addition of the Company's Judges sitting with lawyers from this country will give those English lawyers what they want,—an acquaintance with the manners, and habits, and laws of India. We propose that this Court shall be the ultimate court of appeal in each of the Presidencies from all other Courts, and that minor Courts for the administration of English law, shall be instituted in each of the Presidency towns, subject to an appeal to the Superior Court which I have mentioned. We propose also that in certain cases this Superior Court shall have original jurisdiction, and that the judges shall be occasionally employed by special commission to try causes in any part of the coun-

try. We believe that these reforms will be the means of introducing an improved practice and tone into all the Courts of the country; and in every part of the country there will be the advantage of trials conducted on fitting occasions before Judges of the highest Court of Judicature. There must, under careful restrictions, be an appeal to the Privy Council. I was exceedingly anxious tha this improvement should have been embodieu in the bill which I mean to ask leave to introduce, but, after consulting with members of the late Law Commission of India, who are the persons most strongly in favour of this change, I found that in consequence of the necessary arrangements connected with the forms of procedure it is necessary to postpone any legislative measure till we shall have received a report of the Commission which we propose to institute, and whose first duty will be to prepare forms of procedure applicable to the new Court. With respect to the native judges, I do not know that much more can be done but to continue the practice already commenced. They are at present subjected to severe examination at every step of their promotion. We think, however, that the salaries of the lower class of judges should be raised. It appears from the evidence which we have received that in every rank above the lowest the salaries of the native judges are quite adequate. I really do not know that there is any other mode of removing the temptation to perpetuate the old practice of admitting undue influence into the administration of justice than by improving the

moral tone of the judges and by fairly and adequately increasing their salaries.

There are other topics of vast importance which I might refer to, and perhaps there is none of more importance than that of native education; but, as we have not entered upon any inquiry with respect to that subject yet, it would be premature to address many observations to the House upon it, and I am very sensible of the length of time for which I have trespassed on the patience of the House. But I may say that there has been a great improvement in this respect in the course of the last twenty years. We used to spend considerable sums and to take considerable trouble in educating a large body of the natives in Oriental literature, which was of little value to them; but chiefly owing, I believe, to the exertions of the Right Hon. Gentleman the Member for Edinburgh (Mr. Macaulay), European literature has been in great measure substituted for antiquated Sanscrit and Arabic, or other eastern studies, and if Hon. Members will take the trouble to refer to the Appendix of the Lords' Report, they will see abundant proofs of the proficiency to which the natives have attained in this respect. At a college founded at Roorkee, we are educating native youths to take their place as civil engineers in the great works which have hitherto been carried on exclusively by Europeans. The natives have also made great progress in the science and practice of medicine. They have been induced to forego their old national prejudice against touching a dead body; and the skill with

which they use the scalpel is equal to that of many Europeans. I will not at present say anything of the Government Schools for the education of the natives, which are hereafter to be the subject of inquiry. But I may mention that we have satisfactory accounts of the Missionary schools, in which the Bible is ordinarily used with the full knowledge of the Hindoos. I believe that no great number of the native children ultimately become Christians; but we have strong testimony in favour of the improved moral habits which have followed from their attendance at the schools, and from the education they receive there. There is strong testimony, moreover, to this fact, that the spread of Christianity among the more educated and enlightened class of natives is in many quarters sapping the foundations of their ancient faith. It is perfectly well known that the Government interfere in no respect with the religion of the natives, and carefully abstain, as a Government, from promoting conversions. No person is more convinced than I am that that is a wise and beneficial course, because I believe that if we attempted to do otherwise, we should unjustifiably shock the feelings of the people of India, and should only impede the progress of Christianity. It may not be uninteresting to the House to know that by the last mail we have accounts of the baptism of Dhuleep Singh, a descendant of Runjeet Singh, a prince of high rank, which ceremony, it appears, took place at his own request, not ostentatiously, but privately and without the slightest parade, at Benares. I

have said that we do not interfere, and I think rightly, in the propagation of our religion among the natives; but on the other hand I am bound to express my opinion that we have been perfectly right in taking care that those who profess Christianity shall incur no loss in consequence of doing so. Strong opinions have lately been expressed against the passing of the Act which prevents the forfeiture of the property of Hindoos on their becoming Christians; but I think that this Act is perfectly right, and that no change of faith to any religion professed in any part of the Queen's dominions should entail the forfeiture of property. I quite agree, therefore, in the propriety of passing that Act. I think the Government are perfectly right in abstaining from attempting to make proselytes among the Hindoos, though, at the same time, I think we ought not to allow them to be subjected to penalties, when they do embrace the Christian religion. I hope and trust that the education they are receiving will gradually lead to the reception of our own faith in India; but that result we must leave in the hands of Him who will, in His own good time, bring about that which He desires to come to pass. In so far as improved education enlightens and enlarges the mind, we are preparing the population of India for the reception of a purer faith. But I am anxious to say that I differ from the opinion which was expressed in his evidence by a Noble Lord, to the effect that we ought not in any way to promote the education of the natives, as

tending to diminish our hold on India. I should be sorry to think that such was the case. No doubt our empire of India is an anomalous empire. Englishmen seldom or ever permanently settle in India. There is no mixture of English population with the native population. We go, we govern, and we return. I do not believe, however, that we shall endanger that empire by educating the natives of India. I believe, on the contrary, that if the great body of the natives were educated and enlightened, and not only educated and enlightened, but still more if bound to us by the ties of a common faith, we should increase rather than relax our hold upon the Indian empire. But, be that as it may, it seems to me that the path of our duty is clear and plain,—to improve the condition and to increase the enlightenment of the people. I believe, as I have said, that by so doing we shall strengthen our empire there; but even if the reverse should be the case—even if the result should be the loss of that empire, it seems to me that this country will occupy a far better and prouder position in the history of the world, if, by our agency a civilized and Christian empire should be established in India, than if we continued to rule over a people debased by ignorance and degraded by superstition.

THE END.